

CA20N
EAB
-H26



ENVIRONMENTAL COMMISSION
ASSESSMENT DES
BOARD EVALUATIONS
ENVIRONNMENTALES



VOLUME: 238

DATE: le mardi, 25 septembre 1990

BEFORE/DEVANT:

A. KOVEN Chairman/Présidente
E. MARTEL Member/Commissaire

POUR OBTENIR DES INFORMATIONS, VEUILLEZ COMPOSER (SANS TARIF):
FOR HEARING UPDATES CALL (TOLL-FREE): 1-800-387-8810

EARR
ASSOCIATES &
REPORTING INC.

(416) 482-3277

2300 Yonge St., Suite 709, Toronto, Canada M4P 1E4

HEARING ON THE PROPOSAL BY THE MINISTRY OF NATURAL
RESOURCES FOR A CLASS ENVIRONMENTAL ASSESSMENT FOR
TIMBER MANAGEMENT ON CROWN LANDS IN ONTARIO

IN THE MATTER of the Environmental
Assessment Act, R.S.O. 1980, c.140;

- and -

IN THE MATTER of the Class Environmental
Assessment for Timber Management on Crown
Lands in Ontario;

- and -

IN THE MATTER of an Order-in-Council
(O.C. 2449/87) authorizing the
Environmental Assessment Board to
administer a funding program, in
connection with the environmental
assessment hearing with respect to the
Timber Management Class
Environmental Assessment, and to
distribute funds to qualified
participants.

Public hearing held at the Geraldton Curling
Club, 200 Wardrobe Avenue East, Geraldton,
Ontario, on Tuesday, September 25th, 1990,
commencing at 2:00 p.m.

VOLUME 238
(Official Transcript)

BEFORE:

MRS. ANNE KOVEN
MR. ELIE MARTEL

Chairman
Member



Digitized by the Internet Archive
in 2023 with funding from
University of Toronto

<https://archive.org/details/31761116524489>

A P P E A R A N C E S

MR. V. FREIDIN, Q.C.)	MINISTRY OF NATURAL
MS. C. BLASTORAH)	RESOURCES
MS. K. MURPHY)	
MR. B. CAMPBELL)	
MS. J. SEABORN)	MINISTRY OF ENVIRONMENT
MS. B. HARVIE)	
MR. R. TUER, Q.C.)	ONTARIO FOREST INDUSTRY
MR. R. COSMAN)	ASSOCIATION and ONTARIO
MS. E. CRONK)	LUMBER MANUFACTURERS'
MR. P.R. CASSIDY)	ASSOCIATION
MR. H. TURKSTRA	ENVIRONMENTAL ASSESSMENT
	BOARD
MR. J.E. HANNA)	ONTARIO FEDERATION
DR. T. QUINNEY)	OF ANGLERS & HUNTERS
MR. D. HUNTER)	NISHNAWBE-ASKI NATION
MS. S. BAIR-MUIRHEAD)	and WINDIGO TRIBAL
	COUNCIL
MR. J.F. CASTRILLI)	
MS. M. SWENARCHUK)	FORESTS FOR TOMORROW
MR. R. LINDGREN)	
MS. B. SOLANDT-MAXWELL)	
MR. D. COLBORNE)	GRAND COUNCIL TREATY #3
MS. N. KLEER)	
MR. C. REID)	ONTARIO METIS &
MR. R. REILLY)	ABORIGINAL ASSOCIATION
MR. P. SANFORD)	KIMBERLY-CLARK OF CANADA
MS. L. NICHOLLS)	LIMITED and SPRUCE FALLS
MR. D. WOOD)	POWER & PAPER COMPANY
MR. D. MacDONALD	ONTARIO FEDERATION OF
	LABOUR

APPEARANCES: (Cont'd)

MR. R. COTTON		BOISE CASCADE OF CANADA LTD.
MR. Y. GERVAIS)	ONTARIO TRAPPERS
MR. R. BARNES)	ASSOCIATION
MR. R. EDWARDS)	NORTHERN ONTARIO TOURIST
MR. B. McKERCHER)	OUTFITTERS ASSOCIATION
MR. L. GREENSPOON)	NORTHWATCH
MS. B. LLOYD)	
MR. J.W. ERICKSON, Q.C.)		RED LAKE-EAR FALLS JOINT
MR. B. BABCOCK)	MUNICIPAL COMMITTEE
MR. D. SCOTT)	NORTHWESTERN ONTARIO
MR. J.S. TAYLOR)	ASSOCIATED CHAMBERS OF COMMERCE
MR. J.W. HARBELL)	GREAT LAKES FOREST
MR. S.M. MAKUCH)	
MR. J. EBBS		ONTARIO PROFESSIONAL FORESTERS ASSOCIATION
MR. D. KING		VENTURE TOURISM ASSOCIATION OF ONTARIO
MR. H. GRAHAM		CANADIAN INSTITUTE OF FORESTRY (CENTRAL ONTARIO SECTION)
MR. G.J. KINLIN		DEPARTMENT OF JUSTICE
MR. S.J. STEPINAC		MINISTRY OF NORTHERN DEVELOPMENT & MINES
MR. M. COATES		ONTARIO FORESTRY ASSOCIATION
MR. P. ODORIZZI		BEARDMORE-LAKE NIPIGON WATCHDOG SOCIETY

APPEARANCES: (Cont'd)

MR. R.L. AXFORD	CANADIAN ASSOCIATION OF SINGLE INDUSTRY TOWNS
MR. M.O. EDWARDS	FORT FRANCES CHAMBER OF COMMERCE
MR. P.D. McCUTCHEON	GEORGE NIXON
MR. C. BRUNETTA	NORTHWESTERN ONTARIO TOURISM ASSOCIATION

I N D E X O F P R O C E E D I N G S

<u>Witness:</u>	<u>Page No.</u>
Mayor Malcolm Rogers, Sworn	43059
Barbra Henriks	43079
Harold Hein	43090
Edgar Lavoie	43133
Robert Cote	43133
Dan Edmonds	43169
Walter Yzerdraat	43183

I N D E X O F E X H I B I T S

<u>Exhibit No.</u>	<u>Description</u>	<u>Page No.</u>
1396A	Funding proposal re feasibility study development plan for Geraldton Sustainable Community Development Initiative (Geraldton Community Forest Project).	43059
1396B	Letter to Minister of Natural Resources dated May 1st, 1990 signed by Peter Dunster Associate Professor, Lakehead University.	43060
1396C	Proposal to the Ontario Round Table on Environment and Economy re Geraldton Sustainable Community Development Initiative.	43060
1396D	Document entitled: Community Forestry, a proposal by the Town of Geraldton in cooperation with Conservation Council of Ontario re Program for Economic Diversification and Increased Self-sufficiency in Northern Ontario Communities, dated 1988.	43060
1396E	Letter to Mr. Goodman, MNR from Mr. A. J. Ross, Vice-President of Domtar Forest Products.	43061
1396F	Document entitled: Phase I Concepts and Background Information establishing the Geraldton Community Forest Project.	43061
1397	Written presentation submitted by Charlie Grieve, Chairman, Albany Watershed Task Force, Nakina, Ontario.	43076

Index of Exhibits (Cont'd)

<u>Exhibit No.</u>	<u>Description</u>	<u>Page No.</u>
1398A	Letter to Mr. Ron Running, district manager, MNR from the Township of Manitouwadge re Black River forest management agreement dated January 12, 1990.	43083
1398B	Document prepared by H.M. Kershaw, Devlin Consulting Services for Hope Consulting Group, 1989 titled: Economic Development Strategy for the Town of Manitouwadge.	43083
1399	Five-page handwritten letter dated September 10, 1990 authored by Jack Stewart, Capreol, Ontario.	43096
1400	30-minute video recording produced by Harold Hein.	43105
1401	Ten-page written presentation submitted by Edgar Lavoie and Robert Cote re 56 slides.	43133
1402	Five-page written presentation submitted by Dan Edmonds, Local 41, CPU.	43169
1403	Photographs submitted by Dan Edmonds, Local 41, CPU.	43169

1 ---Upon commencing at 2:00 p.m.

2 MADAM CHAIR: Good afternoon, ladies and
3 gentlemen. Welcome to the first meeting of the Timber
4 Management Hearing in Geraldton. Thank you very much
5 for coming to meet with us today.

6 Bon après-midi mes dames et messieurs.
7 Je vous souhaite la bienvenue à la première assemblée
8 de l'audience sur le gestion de bois d'oeuvre à
9 Geraldton.

10 S'il y a quelqu'un qui est présente dans
11 l'audience qui voudrait que je répète mes mots de
12 bienvenu ou la marche à suivre en français, je suis
13 contente de faire ça.

14 Aussi, il y a des traducteurs dans la
15 salle pour les présentations, si vous voulez.

16 Mr. Martel and I are the Timber
17 Management Hearing Panel. Mr. Martel I think is well
18 known to you who have lived in the north and who have
19 watched Mr. Martel when he spent 20 years as a member
20 of the Ontario Legislature. My name is Anne Koven and
21 I Chair the Timber Management Hearing.

22 We have been conducting this hearing for
23 two years now, we have spent much of that time in
24 Thunder Bay and more recently in Toronto and Geraldton
25 is the fifth stop that we have made in five weeks

1 through northeastern Ontario. We have collected 40,000
2 pages of transcripts so far and we are on day 238 of
3 the hearing.

4 Mr. Martel and I have the responsibility
5 of making a decision about whether or not to approve
6 the application before us by the Ministry of Natural
7 Resources concerning timber management planning, and
8 when we make the decision we have to follow the
9 Environmental Assessment Act which tells us the sorts
10 of every environmental impacts that we must consider
11 when we make this decision. After hearing all of the
12 evidence we will make that decision, and at this point
13 we don't know how much longer the hearing will take,
14 although I expect it will be some time before it's
15 finally completed.

16 And it's a complicated process and when
17 we go into rooms like this we admire people who stand
18 up and speak to the Board and tell us what you think
19 about timber management planning. We have very simple
20 rules. We are going to call on people who have made
21 appointments for certain times to address the Board,
22 after that we will ask anyone in the audience who
23 wishes to speak to us to stand up.

24 Everybody is free to ask questions of all
25 the speakers and as well there are some full-time

1 parties who appear at all our sessions and I will
2 introduce them to you so you will know who they
3 represent if they ask you a question.

4 Ms. Catherine Blastorah represents the
5 Ministry of Natural Resources; Mr. Bob Cosman
6 represents the Ontario Forest Industries Association
7 and the Ontario Lumber Manufacturers Association; Dr.
8 Terry Quinney represents the Ontario Federation of
9 Anglers & Hunters; Ms. Betsy Harvie represents the
10 Ministry of the Environment. And I believe those are
11 all the full-time parties who are with us in Geraldton.

12 We will ask you to approach our table so
13 we can swear in your evidence. If you have a written
14 submission we are going to ask you to read it and we
15 will put a number on it, an exhibit number for our
16 record, and if you simply want to say something, all of
17 it is recorded on the transcripts. And I believe you
18 can find a copy of the transcripts of our hearings in
19 Geraldton at the Ministry of Natural Resources district
20 office.

21 We also have interpreters attending our
22 hearing today, they are: Jean Cote, Fabrice Cadieux
23 and Andrew Moreau, and if you are interested in
24 listening to the French interpretation of what we are
25 saying there are headphones available for anyone who

1 wishes to use them.

2 And I think we can get started with our
3 first presentation today which is by Mr. Malcolm Rogers
4 who is the Mayor of Geraldton.

5 Hello, Your Worship.

6 MAYOR MALCOLM ROGERS, Sworn

7 PRESENTATION BY MAYOR ROGERS:

8 (handed)

9 MADAM CHAIR: Thank you.

10 Mr. Rogers has given some information
11 that he will refer to in his presentation and we will
12 give this information an exhibit number.

13 This will be Exhibit No. 1396, and it
14 comprises six pieces of information, the first being a
15 funding proposal concerning a feasibility study
16 development plan for the Geraldton Sustainable
17 Community Development Initiative which is part of the
18 Geraldton community forest project. Why don't we call
19 that 1396A.

20 ---EXHIBIT NO. 1396A: Funding proposal re feasibility
21 study development plan for
22 Geraldton Sustainable Community
Development Initiative (Geraldton
Community Forest Project).

23 MADAM CHAIR: 1396B is a letter to the
24 Minister of Natural Resources dated May 1st, 1990 and
25 it's signed by Peter Dunster who is the Associate

1 Professor of Lakehead University expressing support for
2 the Geraldton Community Forest Project.

3 ---EXHIBIT NO. 1396B: Letter to Minister of Natural
4 Resources dated May 1st, 1990
5 signed by Peter Dunster Associate
6 Professor, Lakehead University.

7 MADAM CHAIR: Exhibit 1396C is a proposal
8 to the Ontario Round Table on Environment and Economy
9 concerning the Geraldton Sustainable Community
10 Development Initiative.

11 ---EXHIBIT NO. 1396C: Proposal to the Ontario Round
12 Table on Environment and Economy
13 re Geraldton Sustainable
14 Community Development Initiative.

15 MADAM CHAIR: 13996 D is entitled:
16 Community Forestry and it's a proposal by the Town of
17 Geraldton in cooperation with the Conservation Council
18 of Ontario and it is a Program for Economic
19 Diversification and Increased Self-sufficiency in
20 Northern Ontario Communities, this is dated 1988.

21 ---EXHIBIT NO. 1396D: Document entitled: Community
22 Forestry, a proposal by the Town
23 of Geraldton in cooperation with
24 Conservation Council of Ontario
25 re Program for Economic
Diversification and Increased
Self-sufficiency in Northern
Ontario Communities, dated 1988.

26 MADAM CHAIR: 1396E is a letter to Mr.
27 Goodman at the Ministry of Natural Resources from Mr.

1 A. J. Ross, Vice-President of Domtar Forest Products,
2 also supporting the Geraldton Community Forest Project.

3
4 ---EXHIBIT NO. 1396E: Letter to Mr. Goodman, MNR

5 from Mr. A. J. Ross,

6 Vice-President of Domtar Forest

7 Products.

8
9 MADAM CHAIR: And finally, 1396F is Phase
10 I Concepts and Background Information establishing the
11 Geraldton Community Forest Project.

12 ---EXHIBIT NO. 1396F: Document entitled: Phase I
13 Concepts and Background
14 Information establishing the
15 Geraldton Community Forest
16 Project.

17 MADAM CHAIR: Please go ahead, Your
18 Worship.

19 MAYOR ROGERS: Thank you, Madam
20 Chairman. First I would like to say thank you for
21 coming to Geraldton to hold these hearings and thank
22 you for allowing me to speak here.

23 I haven't really got any formal
24 presentation as such, the information I have given you
25 is documents I will refer to and documents that have
26 been worked on over the last two years.

27 I would like to give you a brief history

1 of Geraldton, how Geraldton -- why Geraldton is here
2 and where we hope to go in the future. Geraldton was
3 founded on gold, and we say it's founded on gold and
4 growing on pride. We have been here since the 1930s in
5 production, 1937 the town was incorporated as a gold
6 mine, the gold mines have since left Geraldton and gold
7 was actually kin here, but in the late 50s, early 60s
8 it began to rule with the consort, timber. Timber
9 appears to be taking a more dominant role now and for
10 that reason I'm here this afternoon to speak to you.

11 You have the copy of the most recent
12 funding proposal from this project as well as copies of
13 Phase I of the feasibility study, a Program for
14 Economic Diversification and Increased Self-sufficiency
15 in Northern Ontario Communities, the proposal to the
16 Round Table on the Environment and Economy and the
17 letter from Dr. Dunster at the Lakehead University.

18 We have a multitude of other
19 documentations on this project as well, but I
20 appreciate how busy you are with these hearings and the
21 overwhelming amount of data you must have already
22 received. The Geraldton Community Forest Project has
23 been developed in concert with the Conservation Council
24 of Ontario.

25 Phase I of the feasibility study for this

1 pilot project has been completed. Phase II, the
2 financial analysis, is yet to be completed. We are
3 trying to obtain provincial funding in a magnitude of
4 \$70- to \$100,000 to complete Phase II, but we are
5 having no success in this regard.

6 We have made presentations to the
7 Minister of Northern Development, the Minister of
8 Natural Resources and the Premier. We have made a
9 submission to the Ontario Round Table on Environment
10 and Economy, have spoken to many public functions, to
11 the Ontario Foresters Association and Lakehead
12 University outlining the positive attributes of this
13 project. The bottom line is no provincial government
14 funding has yet been made available for the completion
15 of this study.

16 Despite the support for this project from
17 many foresters, universities, government officials, et
18 cetera, the former Minister of Natural Resources
19 determined that this project is too big for Geraldton,
20 especially to develop on her own. MNR must first
21 establish terms of references for a study to establish
22 policies for a community forest for the Province of
23 Ontario.

24 We have argued with the Minister that it
25 is most difficult to develop policies in a vacuum, we

1 would actually like to see something done, something
2 started, some policies developed to fit the project,
3 not develop the policies and then try to fit the
4 project to her, especially without any real life
5 examples.

6 Community forests are actually working in
7 British Columbia and examples of successful intensive
8 forest management exists in southern Ontario. In
9 British Columbia there are a couple of fine examples,
10 the Mission Tree Farm is one and the Kauitchan Valley
11 with the Town of Duncan and the Seymour Demonstration
12 Forest there.

13 What is wrong with Geraldton being a pilot
14 project to ascertain if in fact intensive forest
15 management of a multi-use forest is a viable
16 proposition over a 252 to 360 square mile area in the
17 boreal forest of northern Ontario?

18 What is the project all about? We
19 believe that this area of the forest could be a prime
20 example of sustainable development for northern Ontario
21 community by intensive timber management of a multiple
22 use forest. The project could go a long way to
23 assuring that another, God forbid I should use the
24 word, Temagami never occurs in northern Ontario.

25 It is true that timber management has

1 improved over the last decade, however, we feel that
2 there is still room for improvement even though some
3 timber companies may disagree. We believe intensive
4 forest management can work in a larger area, intensive
5 forest management is labour intensive and would create
6 employment opportunities now not available in our area.

7 We are trying to do something to keep
8 younger people in northern Ontario. There have been
9 workshops on this held several times through the
10 Minister of Northern Development and Mines and several
11 mayors and reeves of northern Ontario have gone to work
12 on this. We believe that this is one project that can
13 help keep our younger people in northern Ontario and
14 bring them back to northern Ontario.

15 The community forest would allow
16 experimentation with innovative forest management and
17 harvesting techniques. I guess the question to be
18 asked is: Why is the provincial government so hesitant
19 about an innovative concept which may ultimately alter
20 and improve management in northern Ontario?

21 That is basically all I have to present
22 to you this afternoon. I believe you can see from the
23 documentation that we have been pursuing this project
24 quite intensively. Before I leave or I leave myself
25 open to some questions, if there are any, I would like

1 to read a couple of lines of poetry from the local
2 history book, and it goes:

3 "Came to the land of which serve its
4 rights are these forests of spruce and of
5 pine, so all of its praise has been
6 written before by a greater pen than
7 mine.

8
9 Set deep in the land of sparkling lakes
10 which, with its story yet to be told,
11 rich in its strength of its youth and
12 hope, it draws wealth from pulp and gold.

13
14 For we miss elsewhere the freedom that
15 this wild north land can give, where
16 people aren't judged by the things
17 they own, but more by the lives that they
18 live.

19
20 And here in the little frontier towns
21 that face the wilderness, something
22 remains of the pioneer mind with its
23 friendly cheerfulness.

24
25 So here is a toast to our town, my

1 friends, may your days be long in the
2 land, and at last may she grow in
3 loveliness as her well-wishers have
4 planned."

5 I would like to present you both with a
6 copy of the history book that has that poem in. That
7 was only three or four actual verses from it, there is
8 a lot more there, and I'm sure you'll enjoy reading it.

9 On behalf of the Town of Geraldton, I
10 would like to give you each one of those. They don't
11 have to go into evidence, you can take them home.
12 (handed)

13 MADAM CHAIR: Thank you very much.

14 MAYOR ROGERS: That's all I have, Madam
15 Chairman. Thank you very much.

16 MADAM CHAIR: Thank you very much, Your
17 Worship.

18 Are there any questions for Mr. Rogers?
19 Mr. Cosman?

20 MR. COSMAN: Thank you, Madam Chair.

21 Mr. Rogers, I'm jealous that I didn't get
22 a copy of that, but afterwards perhaps you can tell me
23 where I might buy one and I would appreciate it very
24 much.

25 MAYOR ROGERS: I will do it in front of

1 everybody, if you want. They are \$25 each from town
2 office.

3 MR. COSMAN: Thank you very much. Mr.
4 Rogers, you gave a short history of the town and you
5 mentioned how the town was founded on gold and with the
6 time gold has ceased to play a part in the life of the
7 town. Can you tell us when the last operating mine
8 was -- when the last mine was operating in Geraldton?

9 MAYOR ROGERS: I will stand to be
10 corrected on this, but I believe in the early 60s.

11 MR. COSMAN: Okay, thank you.

12 MAYOR ROGERS: About mid-60s to be
13 truthful with you.

14 MR. LAVOIE: 1970.

15 MR. ROGERS: Was it 1970, is that the
16 last ingot poured?

17 MR. LAVOIE: That's when it closed up.

18 MAYOR ROGERS: Oh, okay.

19 MR. COSMAN: All right. And are there
20 any mining jobs in the community today?

21 MAYOR ROGERS: There is a certain amount
22 of mining jobs, there is a certain amount of
23 exploration going on.

24 There is quite active exploration in
25 several areas. They say the easiest place to find a

1 gold mine is next to one, so we have had lots of gold
2 mines and there are quite a lot of exploration going
3 on.

4 MR. COSMAN: So everyone is hopeful?

5 MAYOR ROGERS: Everyone is always
6 hopeful, yes.

7 MR. COSMAN: And in terms of mining jobs
8 in terms of any active operating mine, I take it that
9 that kind of job is not available today?

10 MAYOR ROGERS: Not at this point in time.
11 As I say, we are hopeful that through the exploration
12 something may occur, but at this point in time, no,
13 sir.

14 MR. COSMAN: You described the pilot
15 project that your community has, under your leadership
16 has been pursuing, that of the Geraldton Community
17 Forest, and just so I understand what the status of
18 that is today, as I understand it, that you're looking
19 for funding at this present time for an advanced
20 feasibility study?

21 MAYOR ROGERS: That's correct.

22 MR. COSMAN: And that funding is
23 somewhere in the neighbourhood of \$200 to \$250,000 and
24 that's -- you're hopeful you are going to get that as
25 well?

1 MAYOR ROGERS: Yes, that's correct.

2 MR. COSMAN: And such a study was
3 recommended, as I understand it, by Dunster in his
4 preliminary study for you?

5 MAYOR ROGERS: Yes.

6 MR. COSMAN: And that study that you are
7 hopeful to get funding for would address such issues as
8 the cost to the community of operating a community
9 forest and, on the other side of it, the revenue side
10 of it?

11 MAYOR ROGERS: Most definitely.

12 MR. COSMAN: And at the present time you
13 must await the results of that kind of study before you
14 can be assured as to whether or not such a project
15 would or would not result in more jobs for the
16 community, although you helpful that it would?

17 MAYOR ROGERS: Yes. We are hoping that
18 the project will show -- the study will show that it is
19 a viable project that can go ahead and create
20 employment and be better for the environment and the
21 economy in general in northern Ontario.

22 MR. COSMAN: Thank you very much, Mr.
23 Rogers. Those are my questions.

24 MAYOR ROGERS: Thank you.

25 MR. MARTEL: Can I ask you: Did you have

1 any -- or were there any figures indicating what the
2 start-up costs would be of such a project?

3 MAYOR ROGERS: No. We are hoping that
4 the next part of the study will lay all the costs out
5 for putting this together.

6 MR. MARTEL: That might be part of the
7 reasons why you had difficulty though of getting
8 someone to commit to doing the feasibility study for
9 fear of what was on down the road, the next phase, but
10 not so much doing the study but in fact the actual
11 costs.

12 And that's why I asked you if you had any
13 idea the direction it would take in terms of funding to
14 start up such a project?

15 MAYOR ROGERS: We believe that the study,
16 that when it's done would be able to outline these
17 figures and from those figures you would find out
18 whether it was viable or feasible to go ahead with it.
19 If it's far too expensive for what's going to come off
20 it, but we were looking at -- I think the figure was
21 close to \$200,000.

22 MR. MARTEL: For the second study?

23 MAYOR ROGERS: For the second -- for
24 actually being able to get something on the ground and
25 starting to go.

1 MR. MARTEL: For 200,000 bucks?

2 MAYOR ROGERS: Well, to get -- the study
3 would show us whether it's possible to get it --

4 MR. MARTEL: Oh, to determine whether in
5 fact --

6 MAYOR ROGERS: Yes.

7 MR. MARTEL: I wasn't thinking as much in
8 terms of that as I was after you got the study done,
9 had somebody done some mathematics somewhere and felt
10 that if we ever allow this to get unravelled or known
11 we're in for a gigantic cut of the pie. I have seen
12 some of those things happen.

13 MAYOR ROGERS: That fear has been
14 expressed.

15 MR. MARTEL: It has. Okay, thank you
16 very much.

17 MAYOR ROGERS: Thank you.

18 MADAM CHAIR: Mayor Rogers, I just looked
19 very quickly over the letter from Domtar Forest
20 Products and I think that in describing 1396E I think I
21 said that they were in support of the project, but in
22 fact--

23 MAYOR ROGERS: They are not.

24 MADAM CHAIR: --they questioned that,
25 they are not in support. So we will make a correction

1 to the transcript on that point.

2 MAYOR ROGERS: They actually say in there
3 that there is a need for soft pulpwood on the first
4 page on about the third paragraph, the bottom end of
5 it, and then they don't support the forest though in
6 the second page.

7 MADAM CHAIR: Yes. Essentially are you
8 saying that you would see in whatever area of the
9 forest you're defining in the Geraldton area that there
10 wouldn't be an FMA approach to it, that in fact it
11 would be under a different kind of municipal control?

12 MAYOR ROGERS: That's correct. It's
13 presently the area we're looking at is under
14 Kimberly-Clark under their limits at this point in time
15 and we were looking at it that they would be given
16 first right of refusal on anything that came off it.
17 So they would still hold those acres, you might say,
18 within their allowable limits, if that affects their
19 possible cut.

20 MR. MARTEL: Is your wood going from here
21 to Terrace Bay?

22 MAYOR ROGERS: I would ask James if he
23 could tell us that, more so than myself. Can you
24 possibly answer that, James?

25 MR. JAMES: James The majority of wood in

1 this area goes to the Terrace Bay pulpmill, yes.

2 MAYOR ROGERS: We used to have a sawmill
3 in Long Lac but that closed up three years ago.

4 MR. MARTEL: You used to have a board
5 project too at one time; did you not, particle board?

6 MAYOR ROGERS: There is the waferboard
7 plant.

8 MR. MARTEL: Waferboard?

9 MAYOR ROGERS: Yes?

10 MR. MARTEL: Is that still operational?

11 MAYOR ROGERS: Yes, and the plywood
12 plant. They are both under Weldwood who I believe buy
13 a lot of their material from the Kimberly-Clark limits.

14 MADAM CHAIR: Are there any other
15 questions for Mr. Rogers?

16 (no response)

17 Thank you very much.

18 MAYOR ROGERS: Thank you very much for
19 this opportunity.

20 MADAM CHAIR: Thank you, Your Worship.

21 We will now call on Barbara Henriks who
22 is a councillor with the Township of Manitouwadge.

23 The Board just noticed that Ms. Henriks
24 was scheduled for three which means that we're ahead of
25 schedule here.

1 Is there anyone else in the audience who
2 would like to say something to the Board?

3 (no response)

4 In that case, I think we will have to
5 adjourn and come back at three o'clock. I did have a
6 question with respect to a procedural matter and that
7 is: I don't think we have anyone scheduled to appear
8 before the Board tomorrow, either at the 2:00 p.m. or
9 the 7:00 p.m. session, so I would like counsel to
10 remind me what the rules are with respect to our
11 procedures; once we have issued notice for a meeting,
12 if we don't have submissions scheduled ahead of time?

13 I think I know the answer, but why
14 doesn't someone tell me.

15 MR. COSMAN: I wonder if we might just
16 consult among each other and speak to you after the
17 break?

18 MADAM CHAIR: Yes, at the end of this
19 afternoon's session. Thank you.

20 ---Recess taken at 2:25 p.m.

21 ---On resuming at 3:10 p.m.

22 MADAM CHAIR: Please be seated. Before
23 we call on Ms. Henriks from Manitouwadge, the Board
24 received a written submission and we will give this
25 submission an exhibit number and it's a brief letter

1 that I could read into the record I suppose. This will
2 be Exhibit 1397.

3 And the author of the letter is a Mr.
4 Charlie Grieve who is Chairman of the Albany Watershed
5 Task Force in Nakina, Ontario, and he was unable to be
6 in Geraldton today to make the presentation himself.

7 ---EXHIBIT NO. 1397: Written presentation submitted by
8 Charlie Grieve, Chairman, Albany
9 Watershed Task Force, Nakina,
 Ontario.

10 MADAM CHAIR: And Mr. Grieve's letter is
11 as follows:

12 "The Albany Watershed Task Force is a
13 group of concerned residents whose
14 mandate is to provide local grass
15 root input and consensus regarding
16 logging operations. In Ontario the
17 remote isolated wilderness found in our
18 area is no longer the norm and we want to
19 ensure that permanent damage is
20 minimized in the Nakina Forest. In
21 northwestern Ontario conflict is present
22 between the pulp and paper companies who
23 access the timber and the tourist
24 outfitters who want to protect the remote
25 camps from land access.

1 We have three suggestions for your
2 consideration that could be used as an
3 effective tool for both industries to
4 co-exist with a significant reduction of
5 this conflict.

6 First, the removal of tertiary
7 logging camp roads after harvesting and
8 reforesting activities are concluded.
9 These roads often loop close to the
10 lake or river bushline reserves allowing
11 easy admittance to the waterways. Access
12 would be impeded by having to walk the
13 greater distance from the main road.
14 Further, elimination of tertiary roads
15 will, with time, allow an impacted lake
16 or river system to retain a semblance of
17 wilderness and isolation and a natural
18 restoration of fish stock."

19 Point 2:

20 "Extension of the 300-metre reserve line
21 from the waterway if the surrounding bush
22 is sparse. This too would help to reduce
23 easy walk-in access. Scattered bush does
24 not give a high volume of wood per acre
25 with a minimum loss of wood to the

1 licence holder:

2 The third point:

3 "Design a logging cut that
4 goes with the direction of the lake or
5 river systems. Using Nakina as an
6 example the flow of the watershed is to
7 the northeast. If the bush road network
8 could follow the natural geographic flow
9 in a systemic way much of the negative
10 ramifications of having direct crossing
11 over remote waterways could be avoided.
12 To embrace a multi-use concept and to
13 strike a balance between the two
14 industries, there is a need to engineer a
15 period of time where the logging and
16 reforesting process are executed with a
17 reasonable attempt to re-establish remote
18 isolated conditions as existed prior to
19 harvesting.

20 Simply put, long-term viability for
21 the tourism sector will not be
22 jeopardized by short-term gain from pulp
23 and paper harvesting practices.

24 The implementation of these
25 proposals will not eliminate all access

1 to a given body of water in a cutting
2 area. It will reduce the intense
3 fishing newly access lakes come under and
4 provide a recovery period beneficial to
5 all dimensions of the ecosystem which
6 have been impacted by logging, leaving it
7 more in the condition it was found in."

8 Welcome, Ms. Henriks. You've had a long
9 drive from Manitouwadge, and you can begin your
10 presentation at any time. What we do is we ask people
11 to come forward so we can swear in your evidence.

12 MS. HENRIKS: (handed)

13 MADAM CHAIR: Thank you.

14 BARBRA HENRIKS, Sworn

15 PRESENTATION BY MS. HENRIKS:

16 MADAM CHAIR: Thank you.

17 MS. HENRIKS: Is this a seated
18 presentation?

19 MADAM CHAIR: Yes, please.

20 MS. HENRIKS: I didn't know what I was
21 coming to when I came to this hearing. Manitouwadge is
22 about two and a half hours distance from here over
23 rough logging roads. We got to see how our forest was
24 being managed as we drove through these roads knowing
25 that it certainly goes distances and distances behind

1 that. It's very nice to have the access to Geraldton
2 via those roads.

3 Our town is about 5,000 people and about,
4 according to 1989 figures, we have about 800 permanent
5 jobs employed in the forest. These jobs are very
6 important to the people that have them, people have an
7 investment in not only companies and management but
8 also in skidders and trucks. These people live their
9 life from the forest and they live in our community and
10 they are very important to us.

11 We have been involved as an economic
12 development strategy for the Township of Manitouwadge
13 and this involves forestry, fish and wildlife and
14 outdoor sectors. This is a report that was paid for
15 and drawn by consulting services, because we have to
16 look to the future as this hearing has to look to the
17 future and how things are going to be managed.

18 Because forestry is so important to
19 Manitouwadge this report involves only forestry, fish
20 and wildlife and outdoor tourism sectors and I would
21 like to submit that as part of our report.

22 We are very fortunate in Manitouwadge to
23 have excellent communication with the MNR. If there's
24 any questions to be asked they either get the answer or
25 - refer us on to other areas. Our district office is in

1 Terrace Bay and they are also very open to
2 communication.

3 This is done because of the way the
4 system is set up on a hit and miss basis; if they have
5 to consult with us they do, I would like to see a
6 partnership. Now, whether this is an outgrowth of the
7 public advisory committees that are now in place so
8 that they become a permanent consulting body.

9 We are right in the middle of two very
10 large forest management areas, one is the Pic licence
11 and one is the Black River forest management agreement
12 and one has a public advisory committee and one
13 doesn't, and we certainly like the way that the forest
14 management agreement -- we do have some area of input
15 on that.

16 We are a member of NorthCare. We don't
17 view that Manitouwadge is the centre of the universe;
18 this is not even the north, Canada goes on for a very,
19 very big distance. We are aware that the interests in
20 Ontario are not necessarily, or what is concerning
21 Manitouwadge is not exactly pressing on everyone else.
22 We are broad minded, but we think that there is a way
23 of sharing.

24 People are going to be concerned about
25 wildlife. I think we can share the forests but we have

1 to look, especially in our small communities, at maybe
2 a hundred kilometre distance around and do intensive
3 management, intensive sharing, intensive talking in
4 these areas. I believe Les Reid a forest policy
5 Professor from UBC said that this is the direction we
6 should be looking.

7 I can't think of anything in details that
8 I would offer, other than there has to be some form of
9 permanent consultation area. I want the hearing to
10 know Manitouwadge needs the forest.

11 MADAM CHAIR: Thank you very much, Ms.
12 Henriks. We will give your written -- the document you
13 have submitted to the Board an exhibit number, which
14 will be Exhibit 1398 and this will consist of,
15 Exhibit 1398A will be a letter to Mr. Ron Running, the
16 district manager of the Ministry of Natural Resources
17 from the Township of Manitouwadge concerning the Black
18 River forest management agreement, and Exhibit 1398B is
19 a document prepared by H.M. Kershaw of Devlin
20 Consulting Services for Hope Consulting Group, 1989
21 titled: Economic Development Strategy for the Town of
22 Manitouwadge Forestry, Fish and Wildlife, Outdoor
23 Tourism Sectors, Phase I, Major Industries, Resources
24 and Possibilities.

1 ---EXHIBIT NO. 1398A: Letter to Mr. Ron Running,
2 district manager, MNR from the
3 Township of Manitouwadge
re Black River forest management
agreement dated January 12, 1990.

4 ---EXHIBIT NO. 1398B: Document prepared by H.M.
5 Kershaw, Devlin Consulting
6 Services for Hope Consulting
Group, 1989 titled: Economic
7 Development Strategy for the Town
of Manitouwadge.

8 MADAM CHAIR: Are there any questions for
9 Ms. Henriks?

10 Mr. Cosman?

11 MR. COSMAN: Thank you, Madam Chair.

12 Just a couple of questions, Ms. Henriks.

13 You mentioned the two licence areas, Pic River and
14 Black River, and you indicated one had a public
15 advisory committee and one did not. Do you know which
16 one has the public advisory committee?

17 MS. HENRIKS: Black River.

18 MR. COSMAN: Black River. That is a
19 forest management, the FMA area?

20 MS. HENRIKS: Yes, it is.

21 MR. COSMAN: And did I understand your
22 evidence correctly that you liked the fact that there
23 was a public advisory committee so that people can
24 participate?

25 MS. HENRIKS: As far as my understanding

1 is, they do call for a specific site public
2 consultations in the Pic area, but there's not anything
3 ongoing in -- yes, and of course we prefer public
4 advisory committee.

5 MR. COSMAN: kay. And are you aware that
6 the Industry itself has proposed citizens advisory
7 committees for each of the units; are you aware of
8 that?

9 MS. HENRIKS: (nodding affirmatively)

10 MR. COSMAN: And would you support that?

11 MS. HENRIKS: Of course I would.

12 MR. COSMAN: Thank you very much.

13 MADAM CHAIR: Ms. Henriks, with respect
14 to the public advisory committee, is a representative
15 of the Township a member of that committee.

16 MS. HENRIKS: Not at this time, but we do
17 have people and I did consult with them before I came
18 up if there was anything specific.

19 Everybody talks to everybody, it's quite
20 a small town and they do also assist the Ministry of
21 Natural Resources in making proposals.

22 At this time we have nobody sitting on
23 the committee, but I am sure in the future we will.

24 MR. MARTEL: How many people do you have
25 in mining?

1 MS. HENRIKS: Most of our population is
2 employed. I would say probably 80 per cent.

3 MR. MARTEL: In mining?

4 MS. HENRIKS: In mining.

5 MR. MARTEL: But you have 800 jobs in the
6 forest industry?

7 MS. HENRIKS: Yes, we do.

8 MR. MARTEL: That's mostly woods?

9 MS. HENRIKS: Woods.

10 MR. MARTEL: The woods sector?

11 MS. HENRIKS: Yes, the woods sector. We
12 have no mills or anything like that. I believe that
13 report has some details, and I also include there is
14 spinoff as well in our economy and servicing trucks and
15 skidders and the woods industry.

16 MR. MARTEL: That's the total figure of
17 all people--

18 MS. HENRIKS: Yes.

19 MR. MARTEL: --directly or indirectly
20 involved then?

21 MS. HENRIKS: Yes.

22 MR. MARTEL: Thank you.

23 MADAM CHAIR: Ms. Blastorah?

24 MS. BLASTORAH: Thank you, Mrs. Koven.

25 Just following up on, I think it was your question Mrs.

1 Koven, about membership on the public advisory
2 committee.

3 MS. Henriks, do you know or are you aware
4 that I believe it's a Mr. Miles Kelly from the local
5 Chamber of Commerce is a member of that public advisory
6 committee?

7 MS. HENRIKS: Yes, he is, and we also
8 have a member of the Chamber of Commerce that has come
9 with me today and if there is any questions about that,
10 he would be more than --

11 MS. BLASTORAH: I just wondered whether
12 you're aware of that membership?

13 MS. HENRIKS: Yes, I was.

14 MS. BLASTORAH: And do you see his
15 participation as a useful mechanism for bringing
16 forward concerns of the community in the timber
17 management planning process?

18 MS. HENRIKS: The FMA advisory -- public
19 advisory committee has a member from the Chamber, we
20 have a member from recreation, we have a member from
21 wildlife and one from the trappers association. I
22 think we have five in all.

23 And they, because they are the kind of
24 people they are, they are also -- one's also on our
25 school board and one also does other things. They tend

1 not to be just that, one's on the hospital board and a
2 high school vice-principal.

3 MS. BLASTORAH: Those are all my
4 questions. Thank you.

5 MR. MARTEL: Just on the Big Pic then, if
6 you have one in the Black Forest, who is involved in
7 the Big Pic FMA? Is that a Crown unit or is that an
8 FMA?

9 MS. HENRIKS: It's a Crown unit, there
10 is no FMA.

11 MR. MARTEL: It's a Crown unit.

12 MS. HENRIKS: Yes.

13 MR. MARTEL: That's why I was asking,
14 there is no FMA there then. But the Ministry should
15 have a committee; why not, that is the question?

16 MS. BLASTORAH: Ms. Henriks, I believe
17 you indicated that there was no public advisory
18 committee for that particular Crown unit; is that
19 correct?

20 MS. HENRIKS: That's correct.

21 MS. BLASTORAH: Is the Chamber of
22 Commerce or the Council actively involved through their
23 individual members in participating in the timber
24 management planning process?

25 MS. HENRIKS: Because of the Crown

1 process, this is my understanding - I am quite new on
2 council and I do my homework as best I can - the
3 Ministry of the Natural Resources, if there is anything
4 special being done to the forestry agreement that is
5 operated on the Pic, they do publish in the newspaper a
6 little map where the changes are going to be done so
7 anybody in the town can say: Oh, I don't like this,
8 and they can make their submissions to the Crown or to
9 the Ministry of Natural Resources.

10 So in that way everybody can have a say,
11 but there is communication problems and maybe the
12 little trapper doesn't recognize his spot on the map
13 and this is not an ongoing -- this doesn't go on and
14 on, it's when it happens to be in the newspaper and I
15 do --

16 MR. MARTEL: That doesn't sound like much
17 of an advisory committee.

18 MS. HENRIKS: Oh, it's not an advisory
19 committee, per se.

20 MR. MARTEL: That's what I'm saying, it's
21 really haphazard.

22 MS. BLASTORAH: Mr. Martel, I believe -
23 and perhaps I could ask you to clarify if I am wrong -
24 I believe what you're referring to is the normal back
25 and forth and involvement through the timber management

1 planning process; is that correct?

2 MS. HENRIKS: -That's correct.

3 MS. BLASTORAH: So that is normal
4 involvement through the usual public notices and
5 opportunities for public involvement; are you aware?

6 MS. HENRIKS: That's correct.

7 MS. BLASTORAH: And I must correct
8 myself, I think I said the Big Pic was a Crown unit, I
9 believe it's a company unit, Mr. Martel.

10 MR. COSMAN: I can assist there, Madam
11 Chairman. The Big Pic is not an FMA unit but a company
12 unit, it's James River/Marathon, and in terms of the
13 last question, they are just now starting the process,
14 I'm advised, with respect to timber management planning
15 for the new plan.

16 So that we may see something in the
17 future.

18 MR. MARTEL: Okay. That is whether I was
19 trying to head towards, Mr. Cosman. Thank you.

20 MS. HENRIKS: The first document that was
21 read out, I didn't discuss that at all and that is when
22 the public advisory committee calls for submissions and
23 they call for everybody to do submission, and I thought
24 it would be interesting, instead of talking about the
25 details of how Manitouwadge interacts with the forestry

1 is to submit an FMA and which gives people our comments
2 to the FMA which gives us an opportunity to look at 20
3 years' worth of planning.

4 So that's what tha twas about, and it was
5 certainly reviewed by the district manager and it was
6 sent back with advice saying, at this time the Ministry
7 of Natural Resources does not recognize socio-economic
8 values as - which is true, I believe - as something
9 that they deal with, but a lot of those items would
10 come into the socio-economic values.

11 MADAM CHAIR: On the third page of this
12 letter which is Exhibit 1398A - and the date of it is
13 January the 12th, 1990 - in this letter you make the
14 point that you would like to see health and safety
15 issues addressed in the agreement, referring to the
16 timber management planning agreement, including
17 compliant use of herbicides and strict avoidance of
18 herbicide spraying or aerial spraying within the
19 Township, within the Township, meaning that there is no
20 forest that is being operated on in the Township
21 boundaries?

22 MS. HENRIKS: Well, we had a fire within
23 the Township, but the Morley Lake control burn was
24 operated within the boundaries of the Township and the
25 Ministry of Natural Resources did an excellent

1 discussion on paper on it and did all their homework on
2 it but, yes, we have operations right in our town, we
3 are in the middle of the bush.

4 MADAM CHAIR: So you don't object to
5 spraying outside the Township limits?

6 MS. HENRIKS: No. We had discussions
7 with that and perhaps it was unfair of me not to bring
8 their letter of reply in which the local -- one of the
9 local foresters discussed the use of spray right now
10 and what they are being used for and assured me of
11 their safety.

12 MADAM CHAIR: Are there any other
13 questions?

14 Ms. Blastorah?

15 MS. BLASTORAH: More a point of
16 clarification, Mrs. Koven. I'm not sure I heard Ms.
17 Henriks correctly, and I believe she said that it was
18 her understanding that the Ministry did not currently
19 take account of socio-economic values in doing timber
20 management planning. Did I mishear you?

21 MS. HENRIKS: That some of the areas that
22 I had discussed were more socio-economic, I believe
23 that was in the letter I got. Perhaps I should have
24 brought that along as well.

25 MS. BLASTORAH: Okay. Since you don't

1 have the letter here I won't pursue that, but perhaps I
2 could just point out that in filing their most recent
3 terms and conditions the Ministry did specifically
4 indicate that they are committed to undertake an
5 intensive review of socio-economic analysis tools in an
6 effort to improve their ability to take account of
7 those kinds of values, and that is a commitment that
8 has been made through the terms and conditions.

9 MS. HENRIKS: I think that is excellent
10 and I am very, very pleased to hear that's happening,
11 but I think it was after the 20th.

12 MR. MARTEL: That's why you saw my head
13 go back a little when you said no.

14 MADAM CHAIR: All right. If there are no
15 more questions for Ms. Henriks, the Board thanks you
16 very much for coming today.

17 MS. HENRIKS: Thank you very much. We do
18 have a member here from our Chamber and a member from
19 our advisory committee. Can I just consult and see if
20 they would like to speak?

21 MADAM CHAIR: Certainly.

22 FROM THE AUDIENCE: Unless you have some
23 questions.

24 MS. HENRIKS: One is mostly involved with
25 recreation and use of that area, the other one is with

1 the Chamber.

2 MADAM CHAIR: No, I don't think the Board
3 will digest the material that you have given us, but we
4 don't have any questions right now.

5 Thank you very much.

6 MS. HENRIKS: Thank you.

7 MADAM CHAIR: Is there anybody else in
8 the audience who wishes to speak to the Board?

9 (no response)

10 If not, then we will adjourn this session
11 of the hearing and we will reconvene at seven o'clock
12 this evening.

13 Thank you very much.

14 ---Recess taken at 3:35 p.m.

15 ---On resuming at 7:00 p.m.

16 MADAM CHAIR: Please be seated.

17 Good evening, ladies and gentlemen.

18 Welcome to the second session of the Timber Management
19 Hearing in Geraldton.

20 I see some familiar faces of those who
21 were here this afternoon. I will quickly go through
22 some introductory remarks and we'll get on to this
23 evening's presentations.

24 Mr. Martel is well known in the north, I
25 don't think I need to spend much time introducing him.

1 He worked hard for northern interests in the Ontario
2 Legislature for 20 years and we're very happy to have
3 him participate in this hearing. My name is Anne Koven
4 and I Chair the timber management hearing.

5 We are assisted by Janet Martell. Could
6 you stand up please, Janet. If anyone has questions
7 about the Environmental Assessment Board or this
8 hearing process they can speak to Janet.

9 Mr. Martel and I work on the Timber
10 Management Hearing full time. We've been doing this
11 since the hearing started in May, 1988. We have
12 accumulated 40,000 pages of transcript and this is day
13 238 of the hearing.

14 We have gone to a number of communities
15 and held sessions like this one and we will continue to
16 do so, although we will be spending more of our time in
17 Toronto in the coming months listening to evidence
18 there, and I don't know when we will be finished.

19 We will make a decision about the
20 application which is before us, which is the timber
21 management planning application by the Ministry of
22 Natural Resources, and after we've heard all the
23 evidence we will decide whether or not to approve this
24 application. And we will make our decision guided by
25 the Environmental Assessment Act.

1 The rules for this evening's submissions
2 are very simple, we will ask people to approach us so
3 that they can be sworn in. We'll call on three people
4 this evening who have asked us to set aside time for
5 their submissions, and then anyone else in the audience
6 may speak to the Board. After submissions have been
7 made anyone is free to ask questions of the speakers.

8 We also have full-time parties in
9 attendance and they may be asking questions at some
10 point during the evening and I will introduce them to
11 you. Mr. Robert Cosman represents the Ontario Forest
12 Industries Association and the Ontario Lumber
13 Manufacturers Association; Ms. Betsy Harvie represents
14 the Ontario Ministry of the Environment; Dr. Terry
15 Quinney represents the Ontario Federation of Anglers &
16 Hunters; and Ms. Catherine Blastorah represents the
17 Ministry of Natural Resources.

18 If you have a written submission to give
19 the Board, we will give it an exhibit number and if you
20 don't have a written submission it doesn't matter
21 because everything that we are saying this evening is
22 recorded on transcript and those transcripts are
23 available in Geraldton at the district office of the
24 Ministry of Natural Resources.

25 We also have French interpreters with us.

1 If someone wishes to listen to the presentations in
2 French there are headphones available for that purpose.

3 S'il y a quelqu'un qui est présente dans
4 l'audience qui voudrait que je répète mes mots de
5 bienvenu ou la marche à suivre en français, je suis
6 contente de faire ça.

7 Aussi, il y a des traducteurs dans la
8 salle pour les présentations, si vous voulez.

9 We will get started on this evening's
10 presentations. We will be calling first on the
11 Beardmore-Lake Nipigon Watchdog Society to make their
12 presentation.

13 And before we hear from them, I'm going
14 to put a letter on record that the Board received, it
15 is dated September 10th, but the Board received it
16 today, September 25th, and it is a five-page hand
17 written letter. We will give it Exhibit No. 1399.

18 ---EXHIBIT NO. 1399: Five-page handwritten letter
19 dated September 10, 1990 authored
20 by Jack Stewart, Capreol,
Ontario.

21 MADAM CHAIR: The letter is short and I
22 will read it quickly into the record. The author of
23 the letter is Mr. Jack Stewart of Capreol, Ontario.

24 "I was recently in attendance at your
25 hearings in Espanola. I was, however,

1 only there for a short time and I did not
2 intend to do anything but listen. I
3 heard only four briefs and after
4 listening to them I felt compelled to
5 write this short presentation.

6 First to comment on the four I heard.
7 The first two were by loggers both of
8 whom have had business handed down from
9 past generations. If these men and their
10 ancestors had been more conscientious of
11 the environment they would not have to
12 appear now before your Board.

13 I found one man, Mr. Carlyle, to be
14 most belligerent in his attitude, so I
15 think also that he is president of the
16 loggers and truckers association. He
17 compared the harvesting of forests to
18 wheat and there is no comparison. He
19 also implied that it is people from the
20 south who are worried about logging
21 methods. This is not true as I know many
22 life-long residents of the north who are
23 equally disturbed by today's harvesting.
24 I have heard the same man on CBC radio
25 since.

1 The next two people I heard sang
2 long praises of E.B. Eddy and I believe
3 most of them are quite true, such things
4 as the clean up the Spanish River and
5 better air quality are commendable as are
6 the sawing methods devised by them. I
7 disagree with the company's cutting
8 policy.

9 I have seen the E.B. Eddy showplace
10 at the Watershed Restaurant. If a lot of
11 jack pine of the same size were planted
12 in areas in white stand I do not think
13 this is an idea of a forest.

14 I have nothing against jack pine and
15 in fact I find them a tree symbolic of
16 northern Ontario, but they do not grow
17 naturally in areas and they are usually
18 mixed in with other vegetation. I doubt
19 if even a squirrel could exist in one of
20 those man-made forests.

21 Now, for a few observations and
22 comments of my own. First of all, trees
23 of all kind are necessary to clean the
24 very air we breath, to supply habitat for
25 wildlife which we have to preserve, as

1 well as to feed a very important
2 industry, the logging and tourism.

3 The north has vast and beautiful
4 forests which every man, woman and
5 child has a right to enjoy. The greed of
6 a few should not spoil this great
7 resource for a future generations.

8 My feeling is that logging can and
9 should go on but other methods must be
10 employed and policed. The clearcut
11 Bulldozer and replanting is not working
12 nor will it ever work. With technology
13 of today a better method must exist so
14 that a harvest does not mean devastation.

15 In summing up I would like to draw
16 to your attention that a lot of these
17 head offices in places like Texas and
18 Tokyo don't care what happens to people
19 in here or in the Amazon. I read
20 recently where people in Richmond Hill
21 are planting spruce, pine, cedar, maple,
22 aspen, ash and so forth, while up here
23 the Ministry sprays and kills these
24 species.

25 I hope that you will take the time

1 to read this as I cannot get to any more
2 of your hearings and that you will
3 consider my comments when making your
4 decision."

5 Do we have with us this evening a
6 representative of the Beardmore-Lake Nipigon Watchdog
7 Society? The name that I have is Diane Coat, or Helen
8 Merrick or Mr. Odorizzi?

9 MR. HEIN: Yes, I'm Harold Hein.

10 MADAM CHAIR: Fine, thank you.

11 MR. HEIN: And these here are from the
12 Watchdog too.

13 MADAM CHAIR: All right. Did you wish to
14 make a presentation?

15 MR. HEIN: Yes, I do.

16 MADAM CHAIR: All right.
17 Would you like to come up to the front,
18 sir, please.

19 I am sorry, I do have other names here,
20 Mr. Edgar Lavoie, Robert Cote and Harold Hein.

21 MR. HEIN: Right, that is myself.

22 MADAM CHAIR: Yes. Could you approach
23 the table, please.

24 HAROLD HEIN, Sworn

25 - MADAM CHAIR: Thank you. And you are Mr?

1 PRESENTATION BY MR. HEIN:

2 Harold Hein, H-e-i-n.

3 MADAM CHAIR: Thank you. And are other
4 people helping you with the presentation?

5 MR. HEIN: No, they have their own.

6 MADAM CHAIR: All right.

7 MR. HEIN: I have a video and they have
8 slides.

9 MADAM CHAIR: Okay, fine. Start whenever
10 you're ready. Would you like to say something before
11 you begin your video?

12 MR. HEIN: Yes.

13 MADAM CHAIR: All right. Please sit down.

14 MR. COSMAN: Madam Chair, perhaps before
15 this witness testifies, I have a concern and a
16 preliminary objection I would like to make. I think I
17 can do it in a way that won't cause this hearing to be
18 interrupted tonight.

19 As you know, when a member of the public
20 testifies we exercise a certain amount of restraint in
21 how we cross-examine. The Beardmore-Lake Nipigon
22 Watchdog Society is, as you know from witness
23 statements filed, a party in these proceedings. It is
24 a party that is represented by legal counsel, Ms.
25 Swenarchuk, who has filed the witness statement of

1 George Merrick of the Watchdog Society to testify in
2 Toronto during part of their case.

3 The same George Merrick has filed another
4 statement as part of the Forests for Tomorrow's case
5 and, again, the same George Merrick will be testifying
6 in Toronto as part of Forests for Tomorrow Panel 3.

7 The same George Merrick of the Watchdog
8 Society was to head the Forests for Tomorrow tour which
9 Forests for Tomorrow cancelled, as you know.

10 Now, we see the Watchdog Society, Mr.
11 Merrick in the room, Mrs. Merrick is the contact person
12 seeking to put videos and photographs in evidence here
13 as well as do it in Toronto as part of their case.

14 Now, we made it very clear by letter to
15 the Board after Forests for Tomorrow cancelled their
16 tour that if photographs or other evidence was to be
17 used that we should in fairness be given a reasonable
18 opportunity to see it and examine it, to put us in a
19 position where we can, on behalf of our clients, test
20 it where necessary. As you know an important - and
21 perhaps for the others - an important role that counsel
22 plays is in cross-examination, in testing evidence to
23 ensure it's veracity.

24 We haven't had that opportunity. First
25 of all, we don't think it's fair or proper that this

1 party be allowed to split its case in the way that it
2 is attempting to do; secondly, we don't think it is
3 proper or fair that these photos not disclosed to the
4 parties along with the other photos which Mr. Merrick
5 has disclosed and which has been filed as part of his
6 witness statement be presented to the Board in this
7 fashion. We will only be able to identify those photos
8 after we see them here today.

9 When we do, what I will do is - and the
10 reason I'm making the point now - is that I'm not going
11 to take a position which I would ordinarily take and
12 say you should not hear this evidence, I'm not doing
13 that, but I want to put on record what we consider to
14 be an unfair tactic by a party represented by counsel
15 and it has put us and other parties in the position
16 where we cannot cross-examine on this evidence.

17 What we will do is tonight identify when
18 and where these photographs were taken and then when
19 this party, the Watchdog Society presents its evidence
20 in Toronto as it intends to do, we at that time will
21 exercise our fair right to cross-examine.

22 But we think -- we don't want to
23 interrupt this proceeding tonight, these people are
24 here, they want to show their photographs, but someone
25 ought to have told them, if they themselves ought to

1 have known better, one cannot do this to get around the
2 rules that this Board has made in this hearing.

3 In any event, I just want to put that on
4 the record. I'm not opposing the right of this party
5 at this time to present its evidence.

6 MADAM CHAIR: Thanks, Mr. Cosman. Please
7 sit down, Mr. Hein.

8 MR. HEIN: Do you want me to run this?

9 MADAM CHAIR: How are we going to do
10 this?

11 MR. HEIN: Do I speak in here?

12 MADAM CHAIR: Yes. Please sit down, make
13 yourself comfortable. You can hit that little red
14 button.

15 MR. HEIN: Okay.

16 MADAM CHAIR: That's it.

17 MR. HEIN: I would like to make a
18 correction on the fellow that just spoke here. This is
19 my own presentation, I'm a member of the Watchdog but
20 this is my own presentation, it has nothing to do with
21 the Watchdog.

22 MADAM CHAIR: Fine. Go ahead, Mr. Hein.

23 MR. HEIN: Okay. I have a four-hour
24 video cut down to 30 minutes showing the many problems
25 with timber management.

1 MADAM CHAIR: Mr. Hein, one thing, are you
2 going to leave us a copy of the video or can we borrow
3 it from you and make a copy?

4 MR. HEIN: I will leave you this copy.

5 MADAM CHAIR: All right. Thank you very
6 much.

7 MR. COSMAN: We will be asking, Madam
8 Chair, that copies be made available to the parties but
9 once it's filed with the Board we can manage that
10 through your registrar.

11 MADAM CHAIR: That's fine, Mr. Cosman.
12 We will make this Exhibit No. 1400, will be a 30-minute
13 video produced by Mr. Harold Hein.

14 ---EXHIBIT NO. 1400: 30-minute video recording
15 produced by Harold Hein.

16 VIDEO PRESENTATION

17 VIDEO DIALOGUE: This is May 6th, 1990 on
18 the 75 road, the road that's still maintained by
19 taxpayers' money and every spring there is the same
20 problem, the road's washed out. It seems like the
21 Ministry hires --

22 MADAM CHAIR: Excuse me, Janet, can you
23 stop the video for a minute, I don't think the court
24 reporter can pick up the dialogue.

25 Do you want to relocate over here, Ms.

1 Dillabough?

2 THE REPORTER: Yes, please.

3 MS. BLASTORAH: Mrs. Koven, while you're
4 adjusting it anyway, we're having difficulty hearing it
5 even here at the front table.

6 MADAM CHAIR: Let's turn up the volume
7 then and see --

8 MS. BLASTORAH: People in the audience
9 may not be able to hear it at all.

10 MADAM CHAIR: Can you make that louder.

11 VIDEO PRESENTATION

12 VIDEO DIALOGUE: This is a brand new
13 culvert. It was put in last year. Private camp, this
14 is just past 75 camp, on the 75 road. Many problems.

15 This is Squawk Lake Road. It's easy to
16 see why the roads don't last after Domtar gets done
17 using them.

18 Whoops, there's a culvert. Another
19 undersized culvert. Also got some wood that Domtar
20 forgot. It's been here so long, it's so rotten it's
21 falling apart.

22 This is May 9th, 1990, the Hudson Bay
23 Road, after Domtar got done with the road. We also
24 have the side of the road where the chipper took that
25 timber off to chip it. After the burn, we have all the

1 wood that was left after the chipper got done. I would
2 say a truckload or two was wasted on this short piece
3 of road.

4 This is still the area to be sprayed with
5 herbicide. I can't see much reason for spraying this,
6 there's not enough vegetation to hinder the trees that
7 are growing there. This is wood left by the chipper
8 after they tried to burn it.

9 This was ready to plant and to me it
10 looked like they've made a hell of a mess. They plant
11 them all right, but just where the tractor has been and
12 there's a lot of timber left (inaudible).

13 MR. HEIN: Now, this is May 16th, 1990,
14 and we are in the Metcalfe Lake area and as far as I
15 know this is an area that Buchanan cut, apparently just
16 took the big trees and left the rest. When they come
17 to plant they just bulldozed the smaller trees under.

18 VIDEO DIALOGUE: Yes, sir, we have got
19 here is cut and this timber was left behind by the same
20 group, Buchanan as far as we know. Looks like it's
21 going to be here for a long time. There's a little bit
22 here but go down the road and you will see a lot more.

23 There is some left up here. I guess that
24 was picked up by the looks of it. Somebody starting to
25 use it for firewood, balsam and spruce, but no good for

1 nothing any more. There's a lot of wood.

2 Anyways, see if we can get the Ministry
3 truck to come in. To me this doesn't look like it's
4 going to be picked up, actually it has been scattered
5 all over with the scarifier equipment.

6 Yeah, well..

7 I can't see them picking that up. Once
8 they run over it with a scarifier I don't know what the
9 hell you're going to do with it. The guy must be blind
10 not to see them piles of wood.

11 I would like to see the Ministry of
12 Natural Resources claim that they ever seen these piles
13 of wood. Here's a semi with the junk trees that you
14 plant in amongst that wood.

15 MR. HEIN: There is some talk about
16 hauling these piles of wood but the question is: How
17 are they going to haul this wood?

18 VIDEO DIALOGUE: How about a shot of some
19 waste oil or fuel oil or whatever the heck it is, drain
20 oil. Oil filter and a bucket of -- where the oil come
21 in.

22 MR. HEIN: How are they going to haul the
23 wood without killing the trees that are already
24 planted? This area has been replanted with trees.

25 VIDEO DIALOGUE: I'll give her. Not much

1 good. All rotten. That's finished. How many cords
2 would you say you've got here? Well, not much --
3 there's more than a truckload.

4 And that's the top of the pile, imagine
5 what it is like on the bottom. Can't make camp fire
6 out of this shit, ain't that right?

7 That's right. Oh, well.

8 Now, this area has been recently planted,
9 they had to push the logs and shit that were left in a
10 pile so they had room to plant the trees. This is
11 where the trees are planted in now.

12 This pile has been here so long that the
13 trees are growing higher than the pile of wood, they
14 still haven't picked it up.

15 We're still on May 16th, 1990 in the
16 Metcalfe Lake area. This is the area where they
17 bulldozed the logs in piles and windrows so that they
18 could plant trees. The trees are planted amongst this
19 crap. Now, you tell me how anybody could plant trees
20 in this stuff?

21 Now, the Ministry of Natural Resources
22 says there is no overspraying in this area, so what's
23 wrong with these trees? I would like to point out that
24 there ain't enough poplar here or birch to affect the
25 growth of any of these trees, so why do they spray it?

1 As you can see, there is not enough birch or poplar
2 here to even mention.

3 We're at Dias Creek. The Ministry says
4 they don't spray creeks with herbicide, so what do you
5 call this?

6 MR. HEIN: If you watch between the trees
7 you'll see water just beyond.

8 VIDEO DIALOGUE: This is the camp site of
9 the workers that the MNR hired to fix the bridge.

10 MR. HEIN: If I left my camp site look
11 like this I'd be charged. This is the bridge near
12 South Onaman River.

13 VIDEO DIALOGUE: Okay, give her. This
14 area here was sprayed last summer some time when, as
15 you can see, that they did a poor job of it because
16 they are killing most of the jackpine and as far as
17 poplars and the rest of the trees and there's hardly
18 nothing else except a few poplars, which I don't think
19 would be any harm to the jackpines left. They did more
20 damage by spraying than what the poplar would have
21 done.

22 Just over here, about 50 feet from here
23 we've got a little creek in there and about 200 feet
24 from here, just over the rock here, there's another
25 creek there that's a fairly big creek and all the water

1 is going down to the South Onaman which end up
2 eventually in Lake Nipigon, we don't like to see that.

3 And the Ministry says they don't spray
4 over creeks.

5 They don't spray close to the water, but
6 this is -- as far as I'm concerned, this is too close
7 to the water and most of the areas are all like this,
8 that you can't get away from it.

9 The purpose of the spraying is to clear
10 the poplars and the underbrush and that, but as you can
11 see here, as far as I'm concerned, they sprayed just to
12 kill the jackpine. Not very good.

13 The spray came over and damaged this
14 jackpine. That's right on the water pretty well, and
15 this water always ends up down in Lake Nipigon.

16 You can see where the trees are growing
17 there is hardly any other brush at all, there's just
18 some scared away brush here and there depending on
19 where the trees, the jackpines are and the spruce.

20 See, the needles are all falling off. It
21 will take quite a while for them to start growing
22 again.

23 The funny thing about it, the poplar that
24 was here ain't as big as the jackpine is and they still
25 sprayed it.

1 And the trees are doing pretty good on
2 their own. I don't think the Ministry needs to come
3 and...

4 MR. HEIN: This is August 17th, 1990
5 around road 510 the Domtar limits. We're looking at
6 one of the many dumps that are on Crown land, have
7 everything from cable to oil filters, waste oil, waste
8 grease and in some of the dumps there is even
9 batteries. Right across the road from road 511.

10 This is road 513 in the Domtar limits.
11 Here's a dump that they tried to cover up. You can
12 still see some of the garbage that was put in here.
13 According to the vegetation around, this dump has been
14 here for several years. You can still see the ground
15 where it was saturated with oil or grease, whatever it
16 was.

17 In the same area we have places in the
18 ground that were saturated with grease that you can
19 still see. Here we have, looks like a motor oil drain
20 or transmission drain right in the middle of the road.

21 Looking at the Hudson Bay Road, this road
22 dates back to the Hudson Bay fur trade approximately
23 300 years.

24 Right across the road from this road 501,
25 Domtar limits. Apparently the road that is supposed to

1 replace the Hudson Bay Road is just a mass of mudholes
2 and wood chips, the historical part of this road is
3 gone.

4 May I have a little light?

5 MADAM CHAIR: Certainly, Mr. Hein. There
6 we are.

7 MR. HEIN: The fur traders travelled this
8 road from Polly Lake to Lake Nipigon. At one time a dog
9 team hauled mail on this road.

10 This road was well used for hunters and
11 fishermen and trappers. And Harry Swanson purchased
12 the roadway that goes through his property from the
13 Hudson Bay Company of England.

14 Now, there are laws and regulations to
15 prohibit most of the problems of timber management, but
16 they are not enforced. My big question is: Why aren't
17 they enforced?

18 Multiple use of Crown land is a way as
19 long as it don't interfere with the Industry. We take
20 one branch of the MNR to improve moose hunting and
21 another branch to kill a moose habitat with herbicide.
22 Now, this goes just on and on.

23 And that's my presentation.

24 MADAM CHAIR: Thank you very much, Mr.
25 Hein.

1 Is there anyone in the audience who would
2 like to question Mr. Hein about his presentation?

3 MR. COSMAN: Yes, please, Madam Chair.

4 MADAM CHAIR: Mr. Cosman. I knew it.

5 Ms. Blastorah, do you have questions as
6 well?

7 MS. BLASTORAH: Certainly, I will await
8 the questions of the other parties. I do have some
9 comments to make about it and some questions of
10 clarification, very briefly.

11 MADAM CHAIR: Mr. Cosman?

12 MR. COSMAN: Thank you, Madam Chair.

13 Mr. Hein, you indicated that you took
14 four hours of video and then reduced it to 30 minutes.
15 Is that what you said?

16 MR. HEIN: That's right.

17 MR. COSMAN: And were you the person
18 taking that video at all times?

19 MR. HEIN: Yes, I was.

20 MR. COSMAN: And it is difficult to tell
21 from the video, but there were some references to dates
22 for certain segments, other segments didn't have dates,
23 some segments had locations generally.

24 First of all, was it all taken at one
25 particular time or were these four hours of video taken

1 over a long period of time?

2 MR. HEIN: If you check the dates, you
3 find it's taken over two or three years.

4 MR. COSMAN: All right. So what you have
5 done is you've taken certain edited selections of four
6 hours taken over; how long did you say, two or three
7 years?

8 MR. HEIN: Right.

9 MR. COSMAN: Now, how do we know -- I
10 mean, first of all, how many different edited segments
11 are there in that video when one things stops and
12 another thing starts; do you have any record of that,
13 or are you able to tell me?

14 MR. HEIN: Well, if you watched the video
15 you'd see where they stopped and ended.

16 MR. COSMAN: Well, I was watching the
17 video. How many different edited segments were there;
18 do you know?

19 MR. HEIN: No, I don't.

20 MR. COSMAN: So what we would have to do
21 is take a look at the first edited segment of the road
22 and then it jumped around and showed other pictures of
23 road, was that all taken at the same time?

24 MR. HEIN: That was taken the same day.

25 MR. COSMAN: Same day. And what day was

1 that?

2 MR. HEIN: The date mentioned on the
3 video.

4 MR. COSMAN: Well, Madam Chair, it was
5 difficult. In some cases I did hear dates; in other
6 cases I didn't, but what we require in order to be able
7 to fairly assess this and to get answers for the Board
8 is to find out when the different edited segments were
9 taken and where they were taken.

10 Now, some of this I know was on the
11 presentation, but to try to ascertain it is going to be
12 very difficult I think here today by my examination of
13 this witness, but it's absolutely essential in order to
14 be able to put before the Board fairly any answers with
15 respect to the information that was portrayed here.

16 MR. HEIN: All dates and locations are
17 mentioned on the video, when those were taken. If you
18 see a long series of pictures without any date that was
19 taken all the same day.

20 MR. COSMAN: All right.

21 MR. HEIN: Some places I mentioned the
22 date twice or in two different places.

23 MR. COSMAN: So just so we understand how
24 you've done this, if we're watching this, when you
25 mention a date it's the video excerpts that you've

1 selected are from the same date up until such time as
2 you mention another date; is that right?

3 MR. HEIN: That would be pretty well
4 correct.

5 MR. COSMAN: As far as location, is it
6 the same, because I know you jump around from the
7 Nipigon Forest and the Auden Forest. Those are just
8 taken on video segments from videos taken on different
9 dates; is that right?

10 MR. HEIN: Right. The dates when they
11 were taken were mentioned and the location are
12 mentioned.

13 MR. COSMAN: Well, Madam Chair, this is a
14 party -- the Beardmore Society is a party. What I can
15 do perhaps to shorten this is, we will examine our copy
16 of this tape --

17 MADAM CHAIR: When transcript becomes
18 available as well.

19 MR. COSMAN: And the transcript as well
20 and we will attempt to do our best on the basis of what
21 we have been told to identify it. To the extent that
22 we can't, we will by way of supplementary interrogatory
23 to this party ask so that we can be in a position to
24 advise the Board or present information to the Board on
25 what has been presented to you.

1 MADAM CHAIR: I think that would be more
2 efficient, Mr. Cosman.

3 Mr. Hein, I heard only two dates on the
4 video, one being May 16th and one being August the
5 17th. Were there other dates that I just didn't hear?

6 MR. HEIN: I think you missed some.

7 MADAM CHAIR: Okay, fine.

8 MR. HEIN: I think you missed the one
9 right in the very start.

10 MADAM CHAIR: Yes, I did, I couldn't hear
11 anything at the beginning.

12 MR. HEIN: Because they stopped it right
13 when I was giving the date.

14 MR. COSMAN: Can you tell us what the
15 first date of any particular part of this video was?
16 What was the first date taken of the videos that you
17 have presented here?

18 MR. HEIN: It seems to me it was May.

19 MR. COSMAN: May of 1990?

20 MR. HEIN: Right.

21 MR. COSMAN: That was the date that you
22 gave. If May of 1990 was the first date, how can you
23 say it's videos that you have taken over the last two
24 to three years?

25 MR. HEIN: Very simple. If you want to

1 see the whole tape, I'll get you it. I've got copies
2 of it.

3 MR. COSMAN: No. I have asked you a very
4 simple question. You told the Board that these were
5 videos that you presented, you had taken over the last
6 two to three years. You have now told the Board that
7 May, 1990 was the first date presented on the video.

8 Are you now saying that you've left out
9 that which came before May of 1990?

10 MR. HEIN: No, I didn't say that at all.
11 You're confusing yourself.

12 MR. COSMAN: Well --

13 MR. HEIN: I said I took parts out of a
14 four-hour tape, and this is my presentation, it's not
15 in rotation like you expect it to be.

16 MR. COSMAN: So you've put them together
17 in a fashion but it's not in a chronological
18 presentation?

19 MR. HEIN: Right.

20 MR. COSMAN: And what is the earliest
21 date in this presentation, no matter what way you have
22 put it together, what is the earliest video date?

23 I heard three dates; two in May, 1990, I
24 think one you said May, 1990, one you said May 16th,
25 1990 and then there was August, 1990.

1 Were there any dates -- were there any
2 part of this video taken before that time, the one that
3 you showed the Board?

4 MR. HEIN: Not in this presentation.

5 MR. COSMAN: And there were sometimes
6 more than one voice. Who was with you when you took
7 this video?

8 MR. HEIN: Robert Cote.

9 MR. COSMAN: Robert Cote, he's the
10 gentleman who is going to speak to us next?

11 MR. HEIN: Right.

12 MR. COSMAN: And is Mr. Cote a member of
13 the Watchdog Society as well as yourself?

14 MR. HEIN: Yes, he is.

15 MR. COSMAN: And am I correct that the
16 Watchdog Society recently attended on a tour of this
17 same area just two to three weeks ago along with a
18 gentleman from the MNR and you were one of the persons
19 that attended on this tour?

20 MR. HEIN: Yes, I was.

21 MR. COSMAN: And that the representatives
22 of the Watchdog Society on that tour were Mr. George
23 Merrick, Mr. Edgar Lavoie, yourself, Mrs. Merrick and I
24 think there may have been someone else. Do you know
25 who else there was?

1 MR. HEIN: There was a whole group of
2 people there from the Industry and the MNR both.

3 MR. COSMAN: Did I correctly name the
4 members of the Watchdog Society who were there?

5 MR. HEIN: The ones you named are the
6 right ones.

7 MR. COSMAN: All right. Now, when you
8 came to select what you were going to show to the Board
9 and the order in which it was going to be presented,
10 did you sit down with other members of the Watchdog
11 Society to decide which particular segments of the four
12 hours of tape you were going to show?

13 MR. HEIN: No, I didn't, these are my own
14 ideas.

15 MR. COSMAN: So you took these yourself
16 and you didn't consult with Mr. Merrick as to what
17 would be good to show to the Board?

18 MR. HEIN: No, I didn't.

19 MR. COSMAN: Did you discuss it with Mr.
20 Merrick?

21 MR. HEIN: No, I didn't.

22 MR. COSMAN: Well, why wouldn't you, sir?

23 MR. HEIN: This is my presentation, it
24 has nothing to do with the Watchdog.

25 MR. COSMAN: And was Mr. Robert Cote with

1 you at all times throughout all of the videos that you
2 presented to the Board here today?

3 MR. HEIN: No, he wasn't.

4 MR. COSMAN: So he was there on some of
5 the tape but not on others?

6 MR. HEIN: That's right.

7 MR. COSMAN: And with respect to the
8 other three and a half hours of tape that you edited
9 out, were there other persons with you when those tapes
10 were taken?

11 MR. HEIN: Yes, I've had different people
12 with me when I took them.

13 MR. COSMAN: And one of those persons was
14 Mr. George Merrick; wasn't it?

15 MR. HEIN: No, it wasn't. You're
16 crumbling in your own beard.

17 MR. COSMAN: I'm just asking you a
18 question, sir, and all we want is a truthful answer for
19 the Board.

20 MR. HEIN: Okay, I give it to you.

21 MR. COSMAN: And as a member of the
22 Watchdog Society, are you telling this Board that you
23 did not discuss with Mr. Merrick the sites that he has
24 been showing and talking about for a long time?

25 MR. HEIN: No, I didn't discuss it with

1 him.

2 MR. COSMAN: Were you on the trip with
3 him three weeks ago. At that time did you discuss some
4 of these sites with him?

5 MR. HEIN: No, I didn't.

6 MR. COSMAN: So you were on that trip and
7 you had no discussion with Mr. Merrick, the fellow
8 member of the Watchdog Society who was with you on the
9 trip about the sites that you had seen?

10 MR. HEIN: I didn't discuss it at all. I
11 was busy with other things, listening to the stuff that
12 was going on.

13 MR. COSMAN: And you are aware that these
14 sites are the subject of comment by Mr. Merrick on
15 other occasions; aren't you?

16 MR. HEIN: That's possible.

17 MR. COSMAN: Well, it's more than
18 position; isn't it, it's true?

19 MR. HEIN: I couldn't prove it by me.

20 MR. COSMAN: Well, haven't you heard it
21 yourself?

22 MR. HEIN: I haven't seen his
23 presentation yet.

24 MR. COSMAN: Has Mr. Merrick's
25 presentation on behalf of the Watchdog Society not been

1 discussed by the Society?

2 MR. HEIN: You would have to ask him.

3 MR. COSMAN: I'm asking you as a member
4 of that organization.

5 MR. HEIN: I don't know.

6 MR. COSMAN: In addition to the -- you
7 said that there were some other people with you when
8 this video was taken on the three and a half hours that
9 were edited out, who were those other persons?

10 MR. HEIN: My son was with me one time.

11 MR. COSMAN: Yes. Anyone else?

12 MR. HEIN: Not that I can think of
13 offhand.

14 MR. COSMAN: Was Mr. Lavoie with you at
15 all or Lavoie rather, Edgar Lavoie?

16 MR. HEIN: No, he wasn't.

17 MR. COSMAN: And you just can't think of
18 at this time who the others might have been; is that
19 right?

20 MR. HEIN: I was with my son one time
21 when we were photographing.

22 MADAM CHAIR: Mr. Cosman, what's the
23 importance of the company Mr. Hein keeps when he's on
24 his video tours and his walkabouts?

25 MR. COSMAN: Madam Chair, these aren't

1 just walkabouts. In my respectful submission, certain
2 selections were taken from videos for the purpose of
3 making a presentation, as this Board was advised, by
4 the Beardmore-Lake Nipigon Watchdog Society tonight.

5 This witness arrives today and says no,
6 he's not here speaking for the Society, notwithstanding
7 he's a member of the Society, notwithstanding that he
8 participated as a member of the Society in the tour
9 organized by the MNR three weeks ago along with Mr.
10 Merrick to go over many of these same sites.

11 So I'm questioning this, Madam Chair, and
12 I'm putting it before you so that you understand what
13 this evidence really is. But if he denies it, I can't
14 go any further with it in any event.

15 MADAM CHAIR: Do you have any other
16 questions for Mr. Hein, Mr. Cosman?

17 MR. COSMAN: Not at this time. Only,
18 Madam Chair, after we are able to identify when, where,
19 these particular video edited segments were taken,
20 where they are.

21 MADAM CHAIR: All right. Thank you, Mr.
22 Cosman.

23 Mr. Hein, it might be at some point that
24 the Board would get in touch with you again if we need
25 some better idea of what locations the video shots were

1 taken and what the dates are, but I think we will
2 follow Mr. Cosman's recommendation and we will take a
3 look at the transcript and listen more closely to the
4 video to make sure that we understand the locations you
5 were pointing out.

6 MR. HEIN: Okay.

7 MADAM CHAIR: And are there any other
8 questions for Mr. Hein?

9 MS. HARVIE: Yes, Madam Chair, I have
10 some questions.

11 MADAM CHAIR: Ms. Harvie?

12 MS. HARVIE: Is it Mr. Hein or Mr. Hind?

13 MR. HEIN: H-e-i-n.

14 MS. HARVIE: Okay, thank you. Mr. Hein,
15 just as a matter of clarification, do you know if any
16 of the roads shown in your videos were abandoned or
17 were they still in use by a forest company or MNR?

18 MR. HEIN: I didn't hear you.

19 MS. HARVIE: Sorry, I'll speak up. Were
20 the roads abandoned or were they still in use?

21 MR. HEIN: The roads that I showed to
22 start with are the main haul roads.

23 MS. HARVIE: So your evidence is that
24 they were still in use; is that correct?

25 MR. HEIN: They were in use and they're

1 still in use now, but they have about three weeks in
2 the spring when they take time to fix them. That's
3 called job security.

4 MS. HARVIE: So those roads were out of
5 use in the spring while they were being fixed and
6 that's when the videos were taken?

7 MR. HEIN: That's right.

8 MS. HARVIE: All right. In your opinion,
9 what was the major cause of the road washout?

10 MR. HEIN: Too small of culverts and not
11 enough culverts.

12 MS. HARVIE: All right.

13 MR. HEIN: And another thing, they got
14 wood that ain't picked up and it gets in front of the
15 culvert and blocks the culvert.

16 MS. HARVIE: Okay. Are you personally
17 aware of any fish habitat that was affected as a result
18 of those washouts; did you notice any?

19 MR. HEIN: The first video is right side
20 of a trout stream.

21 MS. HARVIE: All right. When you
22 showed -- you showed two dying jackpine stands,
23 plantations; is that -- did I understand the video
24 correctly?

25 MR. HEIN: (nodding affirmatively)

1 MS. HARVIE: All right. With respect to
2 the first one, did you know or do you know if those
3 trees were planted or seeded or were naturally
4 regenerated?

5 MR. HEIN: I couldn't tell you for sure.

6 MS. HARVIE: Okay.

7 MR. HEIN: You'd have to check with the
8 Ministry on that one.

9 MS. HARVIE: And likewise with respect to
10 the second set of jackpine, again the same question:
11 Do you know whether they were planted or seeded or
12 naturally regenerated?

13 MR. HEIN: I'm not familiar with that one
14 either.

15 MS. HARVIE: Okay. Those are all my
16 questions. Thank you.

17 MADAM CHAIR: Thank you, Ms. Harvie.

18 Ms. Blastorah?

19 MS. BLASTORAH: Mrs. Koven, I don't want
20 to take up any more time from the other presentations.

21 Basically we're in the same position as
22 the other parties and the Board. We weren't aware that
23 this presentation was going to be made until we saw the
24 registration list for this evening's presentations and
25 it had been our understanding, until Mr. Hein advised

1 us that he was speaking for himself, that he would be
2 appearing for the Watchdog Society as would the other
3 people speaking here tonight, that was the party that
4 was on the Board's registration list.

5 So we're a little handicapped by that
6 because we were apparently under a misconception,
7 although Mr. Hein has indicated he is a member of that
8 Society.

9 Because we haven't had any opportunity to
10 view this material in advance and really have little
11 information as to where it is and what it is and so on,
12 I'm not basically in a position to cross-examine.

13 I think we will do as Mr. Cosman and the
14 Board have suggested, get the transcript and obtain a
15 copy of the video, and I assume the slides that we are
16 going to see as well, and we may need additional
17 information to help us with the locations and we will
18 deal with this with the Watchdog Society through their
19 case to the extent appropriate when their counsel is
20 present in Toronto, no one from Forests for Tomorrow
21 being here this evening.

22 And that's about all I can say this
23 evening under the circumstances.

24 MADAM CHAIR: Okay. Thank you, Ms.
25 Blastorah.

1 Two quick questions, Mr. Hein. The piles
2 of wood that we saw in your video, many of them seemed
3 to be quite old. Was that the case, that they had been
4 left there for some number of years?

5 MR. HEIN: That's one of the reasons I
6 photographed them. Now, at the field trip we had the
7 Buchanan man claimed that they were planning on hauling
8 this wood out, but how can they haul it without killing
9 or damaging the trees that have already been planted is
10 the big question.

11 The wood, as far as I'm concerned, most
12 of it is no good for anything, it's rotten.

13 MADAM CHAIR: It's rotten. So it would
14 have been there for more than two years or more than --
15 I don't know how quickly wood rots, five years or --

16 MR. HEIN: It's been there for quite some
17 time.

18 MADAM CHAIR: All right. And the second
19 question I had, I wasn't able to see, what kind of wood
20 was that?

21 MR. HEIN: That's spruce and balsam and
22 jackpine.

23 MADAM CHAIR: All right.

24 Then thank you very much, Mr. Hein.

25 Could we keep your -- perhaps I would ask

1 Janet, she has the video. Oh, Mr. Martel has a
2 question for you.

3 MR. MARTEL: Can I ask you a question.
4 The area that the pine trees appeared to be damaged by
5 spray, how extensive was that area?

6 MR. HEIN: I didn't hear you.

7 MR. MARTEL: The area where the trees
8 were apparently damaged by overspray, how large was
9 that area? Give it to me in feet, I won't understand
10 in any other form, so...

11 MR. HEIN: Feet. As far as I could see
12 down the cut strip, it was damaged.

13 MR. MARTEL: It's quite a length.

14 MR. HEIN: It's quite a length, right.

15 MR. MARTEL: And how wide? You don't
16 know? I'm just trying to get a handle on how extensive
17 the area that was damaged or where the overspray
18 occurred.

19 MR. HEIN: The one strip where I took it,
20 it's at least half of the strip. It's not a very wide
21 strip, but it's at least half of the strip as far as I
22 could see.

23 MR. MARTEL: What was the name of the
24 area, I didn't get the name of the creek you were
25 talking about?

1 MR. HEIN: You have to run it back again,

2 MR. MARTEL: Okay, never mind the. We
3 can get that from the transcript.

4 MR. HEIN: Dias Creek.

5 MR. MARTEL: Dias.

6 MR. COSMAN: Madam Chair, one question
7 arising out of Mr. Martel's question about the
8 overspraying. That is, when this gentlemen, when you
9 went back, Mr. Hein - I'm talking about the damage by
10 browning off that you showed - did you see the extent
11 of the recovery of the jackpine when you went back?

12 MR. HEIN: It didn't have time to
13 recover.

14 MR. COSMAN: You're saying it was --
15 because this is an early 1990 photograph we wouldn't
16 know at this time how much was recovered or not?

17 MR. HEIN: Right.

18 MR. COSMAN: Thank you.

19 MR. MARTEL: How tall were the trees that
20 were damaged?

21 MR. HEIN: How old?

22 MR. MARTEL: How tall?

23 MR. HEIN: Taller than I am, some of
24 them.

25 MR. MARTEL: And you say there was very

1 little undergrowth?

2 MR. HEIN: That's right, there was
3 practically no undergrowth there. If there was
4 undergrowth there, you would have seen it in the video.

5 MR. MARTEL: Thank you.

6 MADAM CHAIR: Thank you very much, Mr.
7 Hein.

8 Mr. Edgar Lavoie and Mr. Robert Cote.

9 EDGAR LAVOIE,
10 ROBERT COTE, Sworn

11 PRESENTATION BY MESSRS. LAVOIE AND COTE:

12 MADAM CHAIR: Mr. Lavoie and Cote have
13 given the Board a written comments, consisting of ten
14 pages and they are written comments about the 56 slides
15 that the Board is about to see, and we will give this
16 Exhibit No. 1401.

17 ---EXHIBIT NO. 1401: Ten-page written presentation
18 submitted by Edgar Lavoie and
Robert Cote re 56 slides.

19 MR. COSMAN: Is there a copy for the
20 parties, Madam Chair?

21 MADAM CHAIR: Do you have any other
22 copies, gentlemen?

23 MR. LAVOIE: I'm afraid not. Robert has
24 an extra he says he will give up.

25 MADAM CHAIR: All right. Perhaps if some

1 of the counsel want to sit closer together they could
2 share it.

3 MS. BLASTORAH: Mrs. Koven, just before
4 we go on, was it your intention to mark the video. I
5 don't think it was given an exhibit number.

6 MADAM CHAIR: It's Exhibit No. 1400.

7 MS. BLASTORAH: Thank you, I missed that.

8 MADAM CHAIR: Would you like the lights
9 off?

10 MR. LAVOIE: Maybe I will just make some
11 preliminary comments. Am I coming through?

12 MADAM CHAIR: Please go ahead.

13 MR. LAVOIE: First we will identify
14 ourselves. My name is Edgar Lavoie, I am a member of
15 the Beardmore-Lake Nipigon Watchdog Society, I'm a
16 teacher in the high school here in Geraldton. I have
17 been a resident of Geraldton for approximately 25
18 years.

19 I am also looked upon as a historian in
20 this area. I have written two books about Geraldton,
21 and I have written numerous articles on the history of
22 northwestern Ontario, published articles, and I have an
23 interest in forestry that goes back to the fact that my
24 father spent most of his life in the bush and in my
25 work as a historian I find myself very interested in

1 past forestry practices and, of course, the present is
2 a product of the past, so I'm also interested in
3 current timber practices.

4 I'm going to ask Robert to tell about
5 himself.

6 MR.COTE: I'm Robert Cote. I've been
7 here since 1956 in this area. I operate an Esso garage
8 in Beardmore for 20 years now. I worked in the bush
9 before and for the last 20 years I have been self
10 employed.

11 MR. LAVOIE: Before I show the slides, I
12 just want to give some background to this presentation.
13 Earlier this summer the Watchdog Society asked me and
14 asked Robert to undertake a tour of the area around
15 Metcalfe Lake north of Jellicoe and that's I believe
16 known in the Ministry terminology as the Auden
17 management unit.

18 Now, the request arose from a request
19 that came from officials of the Ministry of Natural
20 Resources who attended a meeting of the Watchdog
21 Society in February. Some of those officials attended
22 and one of the results of the meeting was that there
23 was either a request or a suggestion from the district
24 manager - we're talking about Nipigon District here -
25 that the Watchdog Society suggest places to visit to

1 locate exactly the sites of concern, and in the
2 succeeding months then the Watchdog has come up with
3 this plan which was to send Robert and me out into the
4 bush to identify sites, areas of concern to make an
5 itinerary and to submit it to the Ministry of Natural
6 Resources.

7 The tour of -- a tour took place on a
8 modified itinerary on -- pardon me, I should say that
9 this inspection tour conducted by Robert and I took
10 place on Monday, August the 6th, 1990 and the Society
11 also asked its advisor Mr. George Merrick to accompany
12 us.

13 I feel I should at this point point out
14 that George Merrick is not a member of the Society,
15 he's a professional forester who lives in Beardmore who
16 acts as an advisor to the Watchdog Society, and I'm
17 going to anticipate a question here from Mr. Cosens
18 (sic) is it. No, he did not suggest this tour, he did
19 not instigate the tour, this was entirely arising from
20 a suggestion originally proposed by the Ministry of
21 Natural Resources.

22 MADAM CHAIR: Excuse me, just a question,
23 Mr. Lavoie.

24 MR. LAVOIE: Yes.

25 MADAM CHAIR: The suggestion from the

1 Ministry, was this with respect to a timber management
2 plan that you identify areas of concern, or was this a
3 separate exercise just having to do with you and the
4 Ministry?

5 MR. LAVOIE: Well, there's a history
6 there that I'm not going to go into, but for several
7 years individuals and some of these individuals are
8 members of the Watchdog Society had been drawing
9 matters to the attention of the Ministry of Natural
10 Resources, things that disturbed them as they travelled
11 through the bush and this culminated in a meeting in
12 February in Beardmore with several officials of the MNR
13 in attendance to discuss all these problems, and
14 several times during the meeting the Ministry expressed
15 disappointment that we were not more precise in
16 locating these areas of concern, geographically
17 pointing them out on the map. And once they suggested
18 the idea of the tour, then we went about making an
19 itinerary.

20 I think at this point I'm going to start
21 the slides and I'm going to ask Mr. Cote to point out,
22 because the first slide is a map of the area, he's
23 going to point out the route that we took.

24 Robert.

25 The area that you see, Lake Nipigon and

1 the area to the east, is the area that the Watchdog
2 Society is primarily concerned about.

3 MADAM CHAIR: Excuse me, Mr. Cote. Could
4 you stand on the other side of the map. Thank you.

5 MR. LAVOIE: The members of the Watchdog,
6 just as a matter of information, the members come from
7 the area between Nipigon and Beardmore but there are
8 members that come from other parts of Ontario, some
9 live in Thunder Bay, some even are Americans who come
10 up every year to this country and they too are very
11 concerned about what they see in the bush and they have
12 become members of the Society.

13 One of the objectives of the Society is
14 to protect and conserve a number of values related to
15 timber, lands, waters, fish, wildlife. Now, the tour
16 of inspection that we undertook, the three of us, on
17 Monday, August the 6th began in Beardmore - Robert -
18 and we proceeded east to the junction with Highway 801,
19 which is known locally as the Auden Road, it's truly a
20 bush road rather than a highway, and we proceeded north
21 to the first red dot you see and that is going to be
22 our Site 1, and then we went to our next site which is
23 to the north east which is our Site 2.

24 Now, all the other sites that we are
25 going to discuss are up in the area just west of

1 Metcalfe Lake, and maybe Robert you could point out
2 where Onaman Lake is on that map there too.

3 Okay, so it is northwest of Onaman Lake.
4 Thank you, Robert.

5 In some of the slides you are going to
6 see this front page of this newspaper Saturday, August
7 the 4th it would be. That was the most recent
8 newspaper I could get at that point, and this is simply
9 an idea of dating the sequence of photographs we are
10 going to see. I don't know how successful you will
11 think it is.

12 This is the first site. It's located on
13 the Auden Road. It is one kilometre before Marten
14 Creek. On the lefthand or west side of the road, this
15 is what you see as you come along around the curve, you
16 see a lot of jackpine that are turning brown. This was
17 an area that was sprayed the year before. I am told
18 that this stand of jackpine is about 15 years old.

19 As you can see the jackpine are
20 suffering. All the brown belongs -- not all of it, but
21 a lot of the brown belongs to the jackpine trees. Some
22 are dead, others are injured. Certainly their growth
23 has been quite severely retarded.

24 When we examined the poplar, this is a
25 poplar of a few years growth and we break the trunk off

1 we can see that there is still a living cambian, that
2 this poplar is still receiving its moisture and
3 nutrients from the earth. We assume that the spray was
4 intended to retard the growth of this or to kill it,
5 but you can see the success right there.

6 MR. COTE: You can see the small poplar
7 has grown up already from the big poplar that has been
8 damaged by the spray.

9 MR. LAVOIE: George Merrick is just
10 pointing out some of the proliferation of poplar. This
11 is this year's growth of poplar, get an idea of what
12 the forest used to look like here by the size of the
13 stump there you see in the photograph.

14 Before I discuss this slide, I point out
15 that we proceeded north along the Auden Road across
16 Marten Creek. The whole area that we -- in this --
17 well, the whole side of -- on either side of the road
18 the broad-leaf trees were dead or dying and the
19 conifers also were downed. The spray appears to have
20 gone right over Marten Creek. Marten Creek is a
21 speckled trout habitat, it's only a very few miles from
22 Lake Nipigon.

23 Okay, this is our second site. Mr.
24 Merrick and Mr. Cote are very familiar with this area.
25 It used to be a mixed stand of spruce, jackpine and

1 poplar and was cut over and it has been naturally
2 regenerated. There was a spray program, I'm not sure
3 when, Robert?

4 MR. COTE: That was done last year, last
5 summer.

6 MR. LAVOIE: And what we are looking at
7 is the valley of the little creek that runs through
8 here and all the brown we see are the willows and
9 alders which line the banks of the creek, they are all
10 dead, they are quite dead, another example of a spray
11 program blanketing areas of water.

12 Now, this creek will eventually -- will
13 flow through a number of lakes and rivers and reach
14 Lake Nipigon and I imagine some of that chemical will
15 also be on its way to Lake Nipigon if it hasn't already
16 reached it.

17 Mr. Merrick calls this a pattern site,
18 I'm not familiar with that jargon, but he says because
19 there is a sequence of exposed rock and wetland that
20 this is known as a pattern site and he says it's a very
21 fragile situation. He as a forester would not
22 recommend spraying such a site.

23 Just to show you the growth that has
24 occurred the past year, it's miniscule. He's pointing
25 to it right there at the tip of this jackpine. So this

1 is another case where the jackpine growth has been
2 retarded.

3 MR. COTE: It's about a half an inch long
4 in growth this summer.

5 MR. LAVOIE: On the other hand, the
6 poplar is fairly healthy, not entirely healthy. We
7 can see the cambium is still alive and all around this
8 area you can see the new poplar growth from last year,
9 the growth from suckers, these are offshoots from the
10 dying poplar and they are three and four feet high.

11 Now, examine the rocky areas and Mr.
12 Merrick holds in his hands some dead moss or lichen.
13 There are large patches of this that are dead on this
14 rock, and I think we can maybe agree that growing a
15 soil layer on this rock is a matter of at least a
16 century, possibly several centuries, and this moss and
17 lichen was expected to contribute to the build-up of
18 that soil which would in turn support a forest.

19 If we turn back the mat of soil we see it
20 is moist underneath. If you look below Mr. Merrick's
21 knee you see the bald dry rock and with the moss and
22 lichen dead, then this soil is more subject to the
23 forces of erosion and this entire rock face may end up
24 like that little patch you see.

25 Also contributing to the build-up of the

1 soil and helping to bind it together are the broad leaf
2 species. The spray has, as you see, killed this off
3 and their leaves will no longer be contributing
4 manually to the soil layer here.

5 These things -- I have to say that I
6 travel quite frequently in the bush and I have passed
7 areas like this all my life and never realized, never
8 been able to interpret what I had seen, so I was very
9 grateful that Mr. Cote and Mr. Merrick were helping me
10 interpret what was there. I'm not a biologist or a
11 forester and I needed the benefit of their experience,
12 but a lot of this is simply common sense.

13 Some things I have learned, I can
14 remember learning in high school in my science and
15 geography classes. So a lot is just simple common
16 sense. If you kill off the things that are building up
17 your soil, then where is your next forest going to
18 grow?

19 Mr. Cote has experience in this area
20 prospecting and hunting and he can tell you something
21 about the moose and caribou being affected in this
22 area. Mr. Cote?

23 MR. COTE: Right in that area there, the
24 caribou used to travel through there quite a few years
25 ago, now it's about last four years, they sprayed in

1 that area just to the west of there, there's an airport
2 there and they sprayed right around it.

3 The caribou used to go there all the
4 time, now they don't. And then just last year they
5 sprayed that area. There is a swamp on either side
6 which is about -- it's all black spruce, it's about
7 800, 900 feet across from one end -- one side to the
8 other and there used to be a lot of moose in that area
9 feeding because the feed that was there, and now
10 it's -- the animals still go through there, the moose
11 does, but the caribous are gone, they will never come
12 back, never seen a track of them at all last year or
13 this summer neither.

14 MR. LAVOIE: I don't have a slide to show
15 you, the is the last slide for this particular site,
16 but the growth of jackpine is very sparse in this area
17 and the poplar has not reached the heights of jackpine,
18 it's considerably lower than the height of the
19 jackpine.

20 All the jackpine remember was naturally
21 regenerated so was the spruce and so as a non-forester,
22 I asked myself: Why was this area sprayed, considering
23 it was so fragile, considering that there was a water
24 course running right through the middle of it,
25 considering that the jackpine not seem to be in any

1 danger, they were managing quite well by themselves.

2 This is site No. 3. What we have done is
3 proceeded farther north through the northwest of Onaman
4 Lake in the Metcalfe Lake area. The document that I
5 filed with the Chairman is very specific about the
6 locations of all of these sites, exact number of
7 kilometres to each of these sites is specified, so that
8 no one will have any trouble locating these again.

9 It was mentioned earlier about a tour
10 that was undertaken by the Watchdog Society and by
11 members of the industries concerned here and by the
12 MNR, and that tour took place on Saturday, September
13 the 8th. This was the first site that we had
14 identified that was on the itinerary provided to us by
15 the Ministry of Natural Resources and so we had some
16 feedback, when we asked questions we got some answers.
17 Well, answers of a sort anyway.

18 Anyway, this area was sprayed. I'm just
19 referring to my notes here now. This was sprayed last
20 year, I believe, Robert?

21 MR. COTE: I believe so.

22 MR. LAVOIE: And what we are looking at
23 here is a brown forest of jackpine. In response to a
24 question, the MNR said that a technician and not a
25 forester recommended this site for spraying. That tree

1 is not going to recover and there are many like that.

2 Now, we are showing you just one piece of
3 this plantation and certainly the whole plantation
4 isn't like this and the MNR pointed out on the
5 September 8th tour that they believe only a small
6 fraction of the plantation was damaged and they also
7 said that the spraying program to produce such an
8 effect was a mistake.

9 Now, we also asked them: Well, if there
10 was a mistake made -- so maybe I can get Robert to
11 answer that. If there was a mistake made...

12 MR. COTE: To start off with they sprayed
13 that area which is very narrow from those tree line
14 there across the road, we are standing right close to
15 the road there, it's about the same distance from there
16 to the road on both sides of the road. And as far as
17 the poplar, you can see there's very few there. We
18 could see the new growth poplar coming up which is
19 already at three or four feet high and the jackpine
20 that is there, some of them have been planted there and
21 there's some spruce been planted in that area which we
22 pay to get them planted and then we pay again to get
23 the MNR to destroy them, which I don't think that is
24 right.

25 MR. LAVOIE: This is to show you. We

1 broke off the trunk of a jackpine which was already
2 dead to show you that the cambium was black. This
3 cambium is dead, the tree is dead. And all the green
4 you see is the growth since last year.

5 Now, you can compare how much green you
6 see with how many dead poplar you see, and it would
7 appear that the spraying has actually stimulated the
8 growth of poplar, so that you have this year more
9 poplar growing than there were there last year when the
10 area was sprayed.

11 Now, this stuff grows four, five feet
12 sometimes a year, so it would seem that in very short
13 order another spraying program is going to have to be
14 conducted, and I think Robert pointed out that one has
15 to ask: Why is spraying necessary when the poplar did
16 not seem to be impeding the growth of the jackpine.

17 Mr. Merrick is pointing out insect
18 damage, he said this was caused by beatles, so insects
19 are now moving into the dead forest.

20 Now, we went across the road and walked a
21 couple of hundred yards and we came to an area that a
22 spray had missed, and Mr. Cote is pointing out a
23 healthy spruce which was naturally reproduced from the
24 timber you see standing here. It's doing quite well
25 yet look at all the competing species around it, and

1 that is the amount of growth shown this year. This was
2 on Monday, August the 6th this slide was taken and that
3 is this year's growth.

4 When we go back into the area that was
5 sprayed that little bud you see is this year's growth.
6 And Mr. Cote was fascinated by this little spot here.
7 As you can see, all kinds of conifers growing,
8 springing up in this area, this area of the windfall.
9 He described this -- well, you tell us about it,
10 Robert.

11 MR. COTE: This is what the forest floor
12 should look like. There you can see two small spruce
13 and one jackpine starting all by themselves and the
14 moss is there that keeps the ground damp all the time.
15 There would be no problem there at all for those trees
16 to be growing, the poplar is not going to interfere
17 with them neither.

18 MR. LAVOIE: In the area that the spray
19 missed we have blueberry bushes thriving. In the area
20 that was sprayed all the black bushes you see around
21 are the blueberry bushes. Robert is showing you the
22 moss which is quite dead.

23 And the question in my mind is: If we
24 are destroying the stuff that makes the soil on which
25 this jackpine plantation is going to depend, where is

1 the next forest going to come from? I would be very
2 interested to know how long the effects are on the soil
3 of the spray program like this. Certainly the
4 short-term effects are severe.

5 This is the last slide in this site
6 sequence. This is the timber stand right next door to
7 the plantation. This is how the forest used to look in
8 this area and not being a professional forester I can
9 still I will never see a forest like this, my
10 grandchildren will never see a forest like this in this
11 spot, their grandchildren won't, their grandchildren
12 won't, their grandchildren won't.

13 This is site No. 4. We are almost
14 directly west of Metcalfe Lake. This is another site
15 that the Watchdog visited in conjunction with the MNR
16 on September the 8th so that we have some feedback.

17 We are told by the MNR that this was
18 cut-over in 1987-88. As you can see, the forest was
19 cut right down to the lakeshore, there is no reserve on
20 this side. If you look across the lake you see what it
21 used to look like on this side.

22 We asked about the cutting of the reserve
23 and MNR says that their present guidelines do not
24 require reserves around lakes of such a small size, but
25 myself I have to wonder if a lake of 10 hectares or

1 more deserves a reserve to protect it and its values,
2 why won't a lake of three hectares also deserve the
3 same consideration. I don't understand that, I
4 confess.

5 What you see here is a skidway that has
6 been left behind from the 1987-88 cut and if you look
7 closely in the background you will see other piles of
8 wood. So this reserve was cut but all the wood is
9 still sitting there.

10 Right next to the skidway too is a pile
11 of veneer quality poplar which I understand MacMillan
12 Bloedel Multiply at Nipigon is responsible for hauling
13 out, and Robert just demonstrates the condition of this
14 wood at this time. He's torn this apart with his bare
15 hands.

16 On the September 8th visit there was a
17 forester present representing the Buchanan group,
18 Northern Wood Preservers, and we asked him his
19 intentions or his company's intentions about this wood.
20 He said they are going to call haul it this winter to a
21 mill and make pulp out of it.

22 I asked the question: Why is all this
23 wood sitting around? And I received the reply that
24 that there was no market for it at the time, no market
25 for pulpwood at this time. I asked why the wood was

1 cut if there were no market for it, and the reply was,
2 that the whole area - and we are going to see much more
3 of this area - was cut-over and then Northern Wood
4 Preservers selected the wood they wanted to feed their
5 sawmill and what was left over is what you see.

6 Now, that to me is frightening, it's
7 frightening that a timber management plan, if the plan
8 is being followed, would allow -- would have this kind
9 of a policy that one goes in, cuts everything in sight,
10 cuts every stick of balsam, spruce and jackpine in
11 sight and then the company selects the wood it is going
12 to use and let's the rest sit there. That to me is
13 very frightening.

14 This is in the same site and just this
15 spring jackpine were planted. They were planted all
16 over this area where the wood has not yet been picked
17 up.

18 Okay. This is the next site, it's a
19 little farther along the same road, we're proceeding
20 west from Metcalfe Lake, I call this site 5, and you
21 see the cut-over and in the distance in the middle of
22 the picture you will see a skidway. We can move up
23 closer to that. I paced off there and it measured 478
24 paces. This is one of many skidways of course left
25 here. There is a tote road right up to it and here in

1 a line you can see the first two-year-old spruce that
2 Robert is pointing to. What else is there, Robert?

3 MR. COTE: That spruce was planted there
4 two years ago and the wood piles are left there. Now
5 they say they are going to pick up that wood, how are
6 they going to pick it up when already they planted.
7 That wood that is over there is already rotten, so
8 there is no reason for them at all to pick that up.

9 MR. LAVOIE: A question was asked of the
10 MNR: What will happen if this wood is not picked up?
11 And the reply is that it will be scaled in the bush
12 next year and the company will be charged Crown dues.

13 The way I understand it, normally wood is
14 scaled only when it reaches the mill. If it is sitting
15 in the bush no one has measured it. But the MNR, if
16 this wood is still there next year will come in and
17 scale it and charge Crown dues of \$8 a cord.

18 The MNR says that there are approximately
19 1,600 cords in this one area that we are looking at.
20 At \$8 a cord we are looking at collecting Crown dues of
21 \$12,800. Now, I asked another forester at a later
22 date - I confess I didn't, you know, make any thorough
23 check of this - but I did ask a forester how much pulp
24 would a cord of pulpwood -- or a cord of pulpwood
25 produce, and he replied a half tonne, and he said the

1 current price of pulp is \$650 a tonne.

2 So at a half tonne we are looking at
3 \$325, so we are looking at wood here, 1,600 cords of
4 wood, some of it mind you is hardwood but the bulk of
5 it is pulpwood, we are looking at 1600 cords of wood
6 which could be generating over half a million dollars,
7 \$520,000 if it were converted into pulp. Instead we,
8 the people of Ontario, are going to be collecting
9 almost \$13,000. Of course the money is not going to
10 stay here it's going to go down to the treasury and not
11 be circulating up here.

12 This is another shot of the same area.
13 You see some scattered piles of wood. The next shot is
14 going to be a close up of this pile and right in the
15 shadow spruce are planted.

16 As Robert points out the tote roads are
17 planted, the trees are nestled up against the wood
18 piles, the new trees that have been planted. I find it
19 hard to accept that the MNR believes that this wood is
20 going to be hauled away. They supervise the planting,
21 we know that you bring machines in here to haul this
22 stuff away, especially under snow there is going to be
23 a lot of damage, the areas under the piles that have
24 been left are going to have to be planted, if a proper
25 job is to be done, and all the young spruce that are

1 there that are damaged will have to be replanted. We
2 are talking a lot of tax dollars here I think.

3 Some of the wood didn't reach the piles,
4 this is the condition the wood is in. You might notice
5 in the background all the poplar that has been left
6 behind. Mr. Merrick tells me that this is a common
7 practice to leave residual trees like this, but you
8 have seen some examples of plantations that had to be
9 sprayed in order to control the poplar growth, and yet
10 here we have mature trees that are going to be seeding
11 this whole plantation and it looks like if present
12 practice continues this area is going to be sprayed as
13 well.

14 We are going to another site now, or
15 Robert...

16 MR. COTE: That area was planted this
17 year, this summer with jackpine.

18 MR. LAVOIE: We are moving to another
19 site just a few hundred yards further west. I call
20 this site 6. This area has been scarified. There are
21 still piles of wood scattered about. Mr. Cote is
22 standing in the rut of the D-8 as it pulled the
23 scarifier from left to right. Behind you see a
24 skidway.

25 And now you see Mr. Cote standing in the

1 middle of the skidway, he's standing in the rut of the
2 D-8 as it pulled the scarifier from right to left,
3 bulldozing the skidway out of the way. It is very hard
4 to believe that any one plans to retrieve this wood.

5 We proceeded several kilometres farther
6 west crossing Zowski Creek and climbing along gradual
7 rise. We noticed piles of spruce, balsam, jackpine,
8 poplar and birch scattered about. This one pile
9 sitting almost on the top of the hill. Each piece
10 averages a diameter of 12 inches and has the length of
11 five feet, six inches and Mr. Merrick believed that
12 this wood was intended for the mill in Nipigon which
13 makes hockey sticks.

14 The wood is quite sound, it is sitting
15 there, it hasn't been picked up. The road is in
16 extremely bad shape to it. It's doubtful a pulp truck
17 could make it over at this time of year, it would have
18 to go in winter and how is it going to find that in the
19 winter.

20 MR. COTE: There used to be a lot more
21 birch there than what there is now. Everybody has been
22 going up there hunting and that been picking it up for
23 firewood at home.

24 MR. LAVOIE: This is site No. 8. We
25 returned to Zowski Creek crossed it and we took a

1 righthand fork up to the top of the hill, we stopped
2 and we peered down the side road, it's not very clear
3 in this slide but as far as you can see skidways are
4 lining the road.

5 Now, back on top of the hill you see some
6 whited spruce sawlogs that didn't make it into a proper
7 pile, simply lying there. And what is it that's
8 planted right there, Robert?

9 MR. COTE: We got spruce planted there
10 and across the road from there there is jackpine been
11 planted right in the poplar path which the poplar is so
12 thick that you've got to move the poplar around to see
13 where the jackpines are and that has been done this
14 year, this summer.

15 MR. LAVOIE: Now, just a few yards from
16 the road is this skidway. I measured -- I paced it off
17 as 16 paces, whited spruce sawlogs. We took measuring
18 tape and calculated that the diameters range from 8
19 inches to 17 inches. There is enough sawlogs -- there
20 are enough sawlogs in an area the size of one's
21 backyard to make a truckload. It is sitting there, it
22 is deteriorating.

23 Right across the road from that skidway
24 is the slash, lying on top of the slash is a beautiful
25 white spruce tree, it has been delimbed, it has not

1 been bucked up, Mr. Cote is standing on the tree and
2 he's pointing off into the undergrowth, he's pointing
3 at jackpine that were planted this year in the very
4 healthy poplar brush there.

5 The diameter of that log on which he's
6 standing is 15 inches, a beautiful tree. It crossed my
7 mind when I saw this, that when I go out for a
8 Christmas tree into the bush I proceed with some
9 trepidation knowing, probably because I haven't applied
10 for a licence to cut a Christmas tree, that here's a
11 beautiful Christmas tree that will never be lit up.

12 Mr. Merrick is standing on top of that
13 white spruce and pointing into the slash. He's
14 pointing into a young jackpine that was planted there
15 this year. This is a close-up of it and he rates its
16 chance of survival as very small.

17 This is the next site we visited. I
18 might point out that the last two sites we visited on
19 August the 6th, were not visited on September the 8th,
20 so we did not get feedback from the Ministry and from
21 the Industry representatives, but they did accompany us
22 to this.

23 This is a trench very close to the main
24 road, the Metcalfe Lake Road, it's only -- I have got
25 it written here, .4 kilometres from the Metcalfe Lake

1 Road. There is all kinds of garbage, there is
2 household refuse, there is old batteries, there are
3 derelict vehicles and there are a lot of these white
4 plastic bags, bags within bags, probably hundreds.
5 Apparently these are bags that are used to transport
6 seedlings into the bush and after the planting program
7 these bags, most of them are perfectly good, have not
8 been recycled, they have just been left there. I don't
9 know what the policy is about recycling bags.

10 We asked the Ministry at this point who
11 had responsibility for supervising this site and they
12 said it was Ministry of Environment.

13 In our travels we ran across a lot of
14 trash, this is just one sample. We spotted this from
15 the road, it's got a pink residue in and markings on
16 the container suggested this contained the herbicide.
17 So the spraying crew left this behind, just one example
18 of a lot of trash that has been left in the bush.

19 This is site No. 10, the Buchanan trailer
20 camp. I believe there is only a caretaker there at the
21 present time. This is very close to Metcalfe Lake,
22 it's only a hop, skip and jump, a two-minute walk to
23 the lake from this point. The Ministry accompanied us
24 to this site in response to the question: What would
25 happen to all the derelict vehicles when the camp is

1 decommissioned? The representative from Northern
2 Preservers said that it would be shipped down to
3 Thunder Bay.

4 Most of what you see, except the closest
5 machine, is derelict vehicles. There are a lot of them
6 there. Some of the trailers aren't in very good shape
7 either. To the left is a topographical feature known
8 as a kettle hole - I have some knowledge of geology -
9 and that's my own description of what it is, and a
10 kettle hole is something created by the retreating
11 continental glacier and it might be, oh, 50 feet deep
12 and a hundred feet across and you notice that some junk
13 is accumulating in it. We also notice that there is a
14 pipe running from the trailers into the hole with
15 discharging sewage. Now, who's responsible for this?
16 We don't know, but the Society intends to follow this
17 up.

18 We are concerned that some of the
19 derelict vehicles, maybe even some of the trailers and
20 some of the other junk might end up buried in a hole in
21 the ground or left here to rust. We don't know what
22 kind of controls and what kind of penalties are being
23 levied to control -- if the rules are broken.

24 Now, this is the next to the last
25 sequence I'm going to show you. This is the site No.

1 11. We examined this site more or less by accident
2 because as we were heading home Mr. Cote wanted to
3 examine the side road and it's just past site No. 3,
4 wanted to examine the side road where there was washout
5 to see if it has been repaired. Now, it has been
6 repaired.

7 To the left in the ditch you see a
8 culvert sticking out, closer to the creek there is
9 another culvert in the ditch, these are 12 inch
10 culverts. They are practically brand new, they are a
11 little scratched, they're a little dented in the rim.
12 The timbers they are quite sound. There you see the
13 36-inch culvert which has become plugged by gravel,
14 silt, and you see the replacement culvert of 24-inches
15 next to it, and Mr. Cote has some remarks about this
16 site.

17 MR. COTE: This culvert, early spring
18 when I was in that area and there was washout there
19 there was just enough room to get by. MNR staff had
20 their trailers parked by that creek, we seen a little
21 while ago where the wood piles were, and I guess the
22 road must have ended up washing the rest of it and the
23 other road that goes to that area is a little rougher
24 and I guess they must have put that small culvert in
25 that trench that was dug out by the water coming over

1 the road and then somebody else came along and removed
2 that one and threw the other one in there, and that one
3 that's plugged there was plugged by beaver which is
4 very simple to unplug them usually with a fire pump and
5 a couple of men will do it in a couple of hours
6 probably.

7 MR. LAVOIE: This is the last slide I'm
8 going to show you. This struck me as being weighted
9 with symbolism. We have here the oldness represented
10 by the pile of logs that's sitting there rotting away,
11 to the left we have a young jackpine that has been
12 planted, it's the new forest coming up, to the right we
13 see a garbage bag, sitting on top of the pile you see
14 an old fuel filter that's been used for target practice
15 by hunters.

16 It seemed to me to capture a lot of the
17 things that concern us; the forest not being properly
18 utilized, the new forest that is being groomed, and if
19 it is being groomed properly we wonder how it is going
20 to be utilized, and we have the evidence of things that
21 are going to be with us forever, we have the metal and
22 the plastic garbage. Our forests are disappearing, but
23 we are always going to have the garbage.

24 I'll just to make some closing remarks
25 here. We started our tour leaving Highway 11 at the

1 junction of the Auden Road at eight o'clock in the
2 morning and we returned to that same junction at five
3 o'clock in the afternoon.

4 So these are the sites we were able to
5 see, not hurrying in the course of the day. They
6 raised many questions in my mind. It was an education
7 for me. I'm not sure I understand everything I saw.
8 Some of the things are simply common sense I think. I
9 am not clear about the responsibility that the Ministry
10 of Natural Resources has to ensure that the environment
11 is being protected, that timber and water and fish and
12 wildlife resources are being properly managed, that our
13 dollars are being well spent. I'm not clear on their
14 roles. I look forward to receiving clarification.

15 The question in my mind at the end of the
16 day was: Who is in charge of our forests and who is
17 looking after the public interest?

18 MR. COTE: Another comment I got against
19 the spraying is: How much damage does it do, as far as
20 the animals and that, we drive through an area that has
21 been sprayed that summer and you never see any animal
22 tracks of any kind, and I'm sure there is some damage
23 been done and all the MNR is saying: Well, there is no
24 problem they move, they move them someplace else, I
25 guess.

1 MR. LAVOIE: That's our presentation,
2 Madam Chair.

3 MADAM CHAIR: Thank you very much,
4 gentlemen. I think before, I'm sure there will be some
5 questions from the audience for you. I think we will
6 take a short break and we will be back in 10 minutes.
7 I think there's coffee in the back for everyone.

8 Thank you.

9 ---Recess taken at 9:10 p.m.

10 ---On resuming at 9:30 p.m.

11 MADAM CHAIR: Please be seated, ladies
12 and gentlemen.

13 Are there any questions from the audience
14 for Mr. Lavoie or Mr. Cote?

15 Mr. Cosman?

16 MR. COSMAN: Thank you, Madam Chair.

17 Mr. Lavoie, Mr. Cote, you have very
18 clearly and very helpfully identified the locations
19 about which you've expressed your concerns in the
20 photographs, both as to time and location.

21 And you have indicated, Mr. Lavoie, that
22 you look forward to receiving information as an
23 explanation, and I can assure you that you are going to
24 get that information from my clients to the extent that
25 they can give you answers to the concerns that you've

1 expressed.

2 And I'm undertaking to the Board to
3 provide that information to you and to the Board so
4 that you will have those answers. But you must
5 understand that I have not seen the photographs before
6 today, and like you and Mr. Cote, Mr. Lavoie, I'm not a
7 forest scientist and I must, in order to give you those
8 answers, consult with foresters as you have done with
9 Mr. Merrick, and once I have done that I will prepare
10 something so that you will have an explanation which we
11 hope will respond to the concerns that you have
12 expressed.

13 And, Madam Chair, with respect to the
14 matters that have been raised, again having not seen
15 the photographs before today, I must reserve any
16 cross-examination until a later date.

17 MADAM CHAIR: Thank you, Mr. Cosman.

18 Ms. Blastorah?

19 Ms. Harvie, do you have questions?

20 MS. HARVIE: Yes I do, Madam Chair.

21 MADAM CHAIR: Go ahead.

22 MS. HARVIE: All right. Gentlemen, we
23 have heard a lot about garbage in the bush and I would
24 just like to say that the MOE does not operate any
25 waste disposal sites in the north. We do certify solid

1 waste disposal sites, and the holders of those
2 certificates, whether it's the MNR or a forest company,
3 has the responsibility to operate those sites according
4 to Ministry of the Environment regulations, and the MOE
5 will inspect certified sites to ensure that in fact
6 they are complying with regulations.

7 Madam Chair, if you feel it's
8 appropriate, we will talk with these people and those
9 identified - I think it's site 9 - to determine if
10 those sites are in fact certified, but I think we need
11 a better indication of the locale before I could give
12 any such undertaking.

13 MADAM CHAIR: Yes, I think that would be
14 helpful Ms. Harvie. And perhaps Mr. Lavoie or Mr. Cote
15 could pinpoint that site for you for someone to go and
16 take a look at it.

17 MS. HARVIE: All right, thank you.

18 Also I just wish to confirm that your
19 tour of these sites took place on August the 6th and
20 September the 8th, is that correct?

21 MR. LAVOIE: Yes. The three of us made
22 the tour of inspection to identify the sites on Monday,
23 August the 6th, and then we accompanied the tour
24 sponsored by the Ministry of Natural Resources on
25 September the 8th.

1 MS. HARVIE: All right, thank you. And
2 Mr. Merrick was with you on both those dates?

3 MR. LAVOIE: Yes, he was.

4 MS. HARVIE: All right, thank you. Those
5 are all my questions.

6 MADAM CHAIR: Thank you, Ms. Harvie.

7 Ms. Blastorah?

8 MS. BLASTORAH: Just one question of
9 clarification, Mrs. Koven. Mr. Lavoie, were any of the
10 sites shown in the slides that you showed us the same
11 sites as the ones we saw in the video?

12 MR. COTE: Yes.

13 MS. BLASTORAH: Would you be able to
14 indicate for us after the hearing this evening perhaps
15 on your list which slides also appeared in the video.

16 MR. LAVOIE: We will get together with
17 Mr. Hein and I think we can do that.

18 MS. BLASTORAH: Okay. We will get in
19 touch with you then and obtain that information.

20 Like Mr. Cosman, you know, we appreciated
21 the efforts put forward to prepare a very detailed
22 presentation and we appreciate the great effort that's
23 gone to identify these sites very clearly, that will be
24 very helpful to us.

25 Again we are not in a position to

1 cross-examine on this tonight. Mr. Merrick was on this
2 tour, on both of the tours mentioned by these gentlemen
3 and we will be asking our questions of him when the
4 Society puts forward its evidence and his counsel is
5 present there with him.

6 If further information is appropriate
7 after the cross-examination, we will be dealing with it
8 in other appropriate ways in the formal hearing, and
9 I'm sure that the Society has raised these concerns
10 directly with the district staff, they have indicated
11 they've been on one field tour.

12 Gentlemen, I assume you will continue to
13 make those concerns known to the district, and I
14 understand that you have an ongoing discussion with the
15 district about these and other concerns; is that
16 correct?

17 MR. LAVOIE: Yes, that's a fair
18 description.

19 MS. BLASTORAH: Thank you.

20 MADAM CHAIR: One matter. We take copies
21 of slides as part of our record. Is there any way that
22 you have that you could propose how we might obtain
23 copies of your slides?

24 MR. LAVOIE: May I suggest I make
25 duplicates and bill the appropriate agency.

1 MADAM CHAIR: Yes. And we will discuss
2 that with the Ministry of Natural Resources or however,
3 we will get that.

4 You're proposing to take the slides
5 yourself somewhere and get a complete set made?

6 MR. LAVOIE: Yes.

7 MADAM CHAIR: All right.

8 MR. LAVOIE: I know that you are handling
9 a lot of material and I would dearly love to keep
10 these. They are part of our history now, so I prefer
11 to give you duplicates rather than the originals.

12 MADAM CHAIR: That's fine, Mr. Lavoie.
13 Why don't you discuss the billing with Ms. Martell and
14 we will sort out the details of that later.

15 MR. LAVOIE: Very good.

16 MADAM CHAIR: Thank you. Are there any
17 other questions for either of these gentlemen?

18 (no response)

19 Thank you very much.

20 MR. COTE: Thank you.

21 MR. LAVOIE: Thank you.

22 Is Mr. Dan Edmonds here, he is with Local
23 41 of the Canadian Paperworkers Union?

24 Hello, Mr. Edmonds.

25 MR. EDMONDS: (handed)

1 MADAM CHAIR: So these photographs were
2 taken in September, 1990 and did you take the
3 photographs?

4 MR. EDMONDS: Yes.

5 MADAM CHAIR: All right, thank you. And
6 they are available for the parties to see.

7 Please go ahead, Mr. Edmonds.

8 MR. EDMONDS: The Canadian Paperworkers
9 Union, Local 41 is pleased to be able to make this
10 presentation to the Environmental Assessment Board here
11 in Geraldton.

12 Our Union represents the workers at Great
13 West Timber sawmill in Thunder Bay. We are today to
14 voice our concerns over how wood is wasted on Crown
15 lands that have been entrusted to the forest product
16 companies to north and northeast of Thunder Bay.

17 It is common practice in our area for the
18 companies and their contractors to clearcut large
19 areas. Some jackpine stands are now regenerating from
20 seed but other areas are growing nothing but scrub.
21 Off the Garden Lake Road near Camp 230, about 15 years
22 ago all the spruce and pine were cut out and the
23 hardwoods were left standing. Now, the deciduous trees
24 are dying and those spruce and pine are growing and the
25 area is turning into a grassland. It seems obvious

1 that some good seed trees of pine or spruce should have
2 been left or the area should have been replanted.

3 This shows a lack of responsibility by
4 the companies. They should be required to replace
5 those that were cut or they should not be allowed to
6 cut in the first place. They shouldn't always simply
7 clearcut large areas. The foresters can't seem to
8 prevent aspen and poplar taking over large clearcut
9 sites that they have tried to prepare for conifers.

10 In an area off the Banksia Lake Road
11 everything was clearcut but a large cedar stand. The
12 company responsible cut a road through the cedar and
13 left the tree length logs on the ground. First, it
14 should be realized that if you clearcut up to a cedar
15 stand it becomes very susceptible to blowdown
16 especially if you put a road through it.

17 The second thing to realize is that the
18 companies do not use white cedar despite its high value
19 although. It is listed as a commercial timber, it is
20 no longer available from more than 50 lumber yards in
21 Toronto. Even the company called Exotic Woods in
22 Burlington cannot supply it, but they are very
23 interested in getting it.

24 Unicorn Fine Woods on the outskirts of
25 Toronto have two-inch rough sawn kiln-dried white cedar

1 at \$3.25 a board foot. Why is one of our valuable
2 forest products cut and left on the ground instead of
3 being utilized, particularly now that western white
4 cedar is considered an exotic wood?

5 Under the FMAs the forest management was
6 to be entrusted to the largest and supposedly the most
7 economically effective forest companies. This is by no
8 means the only example of waste and poor utilization by
9 these FMA holders. Throughout our area one can drive
10 past piles of wood cut and left to rot.

11 In the Garden Lake area tree-length logs
12 are left by the road apparently because the bottom
13 layer has dirt on them. There are also about 40 piles
14 of 8-foot pine along this road. Each pile has about 10
15 cords and is made up of logs with butts 10 inches.

16 This kind of wood our mill would like to
17 use in 16-foot lengths. In the past we've had
18 shortages of this wood and we are now often cutting
19 logs with 6-inch butts or smaller often only getting a
20 2 by 4 out of a tree.

21 You can see these piles of pine logs
22 along the Dog River Road and along the Onaman Lake Road
23 there are tree-length and 8-foot logs rotting in piles.

24 On Road 572 there are big piles of aspen
25 that have been left but we understand that aspen can

1 now be used by new pulping technologies. All other
2 trees from this forest have already been taken out.

3 This unnecessary waste of valuable sawn
4 pulplogs seems to be happening just about everywhere in
5 our area. The fact that these piles are not even
6 removed from the view of the roads indicates that it's
7 common practice and no one cares.

8 On the Blue River Road 70 miles north of
9 Thunder Bay tree-length jackpine logs with about 12
10 inch butts have been laid in a pile and the road built
11 over them. Why is it that culverts are not used but
12 good mill logs are destroyed?

13 In October of 1986 in the Pakashkan Lake
14 area on the Dog River Road many piles of pulp logs were
15 burned and the company put somebody out there all
16 weekend to make sure that it all went up in flames.

17 Another important example of waste of
18 fibre is in the production and buying of wood chips.
19 For sawmills, wood chips are a byproduct of mill
20 operations. After the lumber is cut out of the tree
21 the slabs and trimmings and poor quality lumber is
22 chipped and sent to the pulp mills, however, the
23 sawmills in our area recover only about 75 per cent of
24 the value of the logs brought into the mill that are
25 -used for chips and that excludes the cost of

1 processing.

2 In Quebec, due to legislation governing
3 forest operations, wood chips have a value that more
4 reflect the cost of production. Under Ontario FMAs the
5 forest companies operate with no strings attached and
6 the pulp mills cut more Crown land for their product
7 which is chips and are not required to use a pay to
8 cost of production for other sources of chips such as
9 those that are the byproduct of sawmills.

10 Before forest companies are given more
11 Crown land to cut they should be required to use all
12 available fibre sources on existing areas being cut
13 those recently cut-over. It does not make sense to cut
14 more forests than is necessary just to make wood chips
15 out of trees when so many are lying on the ground and
16 other sources are available from sawmills and private
17 lands.

18 There are a number of conclusions we come
19 to when looking at current forest management. First,
20 we can see that the Ministry of Natural Resources is
21 asleep at the wheel and there is a desperate need for
22 new management with new attitudes.

23 Currently companies only pay stumpage on
24 what they bring into the mill. They should be charged
25 by the acre. The value of the forest should be

1 assessed. If the forest was adequately cruised by the
2 MNR staff, close supervision by the MNR could monitor
3 what is cut, how it is cut and stop any waste.

4 Forests have the capability of generating
5 a lot of employment in the north. At present with the
6 rapid advance of technology, there are fewer jobs
7 cutting because of mechanization that displaces
8 workers; not only that, but many jobs are being lost in
9 the mills. For instance, at Thorold paper -- I mean
10 Ontario Paper in Thorold over 400 jobs have been lost
11 and at Canadian Pacific in Thunder Bay 300 jobs have
12 been lost and another 100 are expected to be lost over
13 the next six months.

14 When forest companies dump their
15 employees it does not only mean tremendous personal
16 hardship, but is also a major tax loss to the province.
17 The Province of Ontario should not be expected to
18 supply wood without some return to the public. The
19 people of the province have the right to expect a
20 better return on the cutting of public forests. Now,
21 we are in a situation where northern communities are
22 suffering and the province is suffering while the
23 corporate sector has just finished several years of
24 record profits.

25 The value of the forest to the local

1 communities and the people of Ontario is being
2 continually eroded while the loss of forested areas
3 accelerates. There is little or no return while even
4 more forest is cut.

5 This need not be the case. There is
6 great potential in creating another industry in
7 silviculture. Perhaps we could consider a new Crown
8 corporation to manage the public lands. What is the
9 sense of creating unemployment when so much work that
10 is necessary is staring us in the face?

11 This work should not be seasonal but
12 should be full time and permanent so that the forest
13 workers can take pride in their work and be around to
14 see the fruits of their labour. All the wood that
15 comes out of the forest should be removed in such a way
16 as to guarantee that remaining forest is left able to
17 regenerate into a healthy forest. All of the wood that
18 comes out of the forest should be utilized in a manner
19 that increases the value added so that there is ample
20 employment and enough money to pay for regeneration.
21 The value of the forest must be seen in terms of how it
22 benefits society in general and not just to ledger
23 sheets on Bay St. or Wall St.

24 MADAM CHAIR: Thank you very much, Mr.
25 Edmonds.

1 Are there any questions for Mr. Edmonds
2 on his presentation?

3 Mr. Cosman?

4 MR. COSMAN: Yes. Thank you, Madam
5 Chair. Just a few questions, sir.

6 First of all, you list a number of
7 different points and with the lateness of the hour I
8 don't think I'm going to spend a great deal of time
9 with them, but just a few questions.

10 First of all, the white cedar issue. You
11 indicate that eastern white cedar is considered to be
12 an exotic wood and you asked why in effect. Are you
13 aware that there is very little market for white cedar
14 first of all, to begin with?

15 MR. EDMONDS: I am led to believe that
16 there is a good market for it in the Toronto area as
17 lumber.

18 MR. COSMAN: Okay. So your statement
19 here is made on your belief that there is a good
20 market.

21 If I were to suggest to you that there is
22 not a very good market, because otherwise if there was
23 a market you could be assured that it was going to be
24 filled, we would just have a disagreement; is that
25 right?

1 MR. EDMONDS: Yes.

2 MR. COSMAN: All right. With respect to
3 waste, on page 3 at the bottom you refer to waste of
4 fibre in the production and buying of wood chips.

5 MR. EDMONDS: Yes.

6 MR. COSMAN: And you work in the mill at
7 Great West?

8 MR. EDMONDS: Yes.

9 MR. COSMAN: And you're aware that
10 Domtar takes all of Great West's chips and all of Great
11 West's sawdust, uses -- it buys all of it, you're aware
12 of that?

13 MR. EDMONDS: Yes, at 75 per cent of what
14 it costs to bring the logs into our mill.

15 MR. COSMAN: Okay. So what you're saying
16 is that there should be a different pricing system, is
17 that your point here?

18 MR. EDMONDS: I think that there should
19 be a responsibility. I think that the paper mills have
20 the right to refuse chips and just cut their own
21 limits.

22 MR. COSMAN: But where you refer to waste
23 of fibre, it's not that the fibre is wasted in that
24 every piece of -- every chip and every piece of sawdust
25 is actually purchased and used, it's just that you feel

1 there should be a different price structure in place
2 for it?

3 MR. EDMONDS: I believe that the value of
4 the product is not there.

5 MR. COSMAN: All right. Page 4, bottom
6 paragraph you express a concern that is often expressed
7 that mechanization displaces workers.

8 Are you suggesting that the Canadian
9 mills should not be renewed and mechanized? People on
10 the other side of the table are saying that there is
11 not enough investment in capital in some of the mills.
12 Are you suggesting that mechanization and further
13 mechanization should not take place?

14 MR. EDMONDS: I'm suggesting that the job
15 loss created through mechanization could be replaced by
16 in regeneration and proper extensive forest management.

17 MR. COSMAN: So there should be -- in
18 effect what you're saying is, that where mechanization
19 results in job loss, something has to be done obviously
20 in the humane way to deal with those workers who are
21 displaced?

22 MR. EDMONDS: I'm saying that there is
23 substantial job loss because of mechanization, that
24 results -- mechanization results in the acceleration of
25 the use of our forests and the forests aren't being

1 replaced adequately and there is an obvious need for
2 more manpower in caring for the forests and all other
3 natural resources.

4 MR. COSMAN: When you referred by
5 replacement by silviculture, perhaps I can turn you to
6 page 5 in the second paragraph you say in about the
7 fourth sentence:

8 "There's a great potential in creating
9 another industry in silviculture."

10 You are aware of course that silviculture
11 is now a big industry with lots of tree planting
12 companies out there?

13 MR. EDMONDS: I'm aware that silviculture
14 is starting to open up.

15 MR. COSMAN: All right. Thank you very
16 much. I apologize -- I might have a few more
17 questions, but given the hour and the fact that I have
18 just read your paper, that's all I have for tonight.

19 MADAM CHAIR: Are there any other
20 questions for Mr. Edmonds?

21 Yes, Ms. Blastorah?

22 MS. BLASTORAH: Mrs. Koven I just have a
23 couple of brief questions.

24 Mr. Edmonds, you have indicated a number
25 of particular specific concerns and you have indicated

1 roads and so on in relation to those concerns of wood
2 in the bush, and so on, and particular cuts.

3 Have you raised or has your Union raised
4 those specific concerns with the district office, the
5 Ministry district office?

6 MR. EDMONDS: No.

7 MS. BLASTORAH: I think those are all my
8 questions, Mrs. Koven. The only other thing I might
9 have would arise out of the photographs which I haven't
10 seen and I am assuming that like everyone else Mr.
11 Edmonds will cooperate if we need any additional
12 information with regard to location.

13 Thank you.

14 MADAM CHAIR: One moment, Mr. Edmonds,
15 please. Mr. Martel has a question, I think.

16 MR. MARTEL: I am looking at these
17 pictures and you took them last week?

18 MR. EDMONDS: Yes.

19 MR. MARTEL: Or within the last week.
20 Many of them have, it would appear - I not being a
21 forester - but it would appear as though they're rotten
22 in the large piles that are there and many of the piles
23 show all the cords totally rotten. That can't be
24 utilized in your...

25 MR. EDMONDS: I think that they would

1 probably mostly can't be utilized, some of those piles
2 are very old.

3 MR. MARTEL: Yes. It's obvious, I mean
4 the bark is off many of them and very huge piles. And
5 is it nine or ten areas that you have listed in your
6 presentation of where these huge piles of wood are left
7 behind? Eight or nine, I believe. My numbering might
8 be wrong about that.

9 MR. EDMONDS: Okay.

10 MR. MARTEL: Okay, thank you very much.

11 MR. COSMAN: Mr. Martel, when you were
12 referring to eight or nine areas, is that evident in
13 the photographs? We haven't seen the photographs.

14 MR. MARTEL: No, that's right.

15 MR. COSMAN: All right. Just so I
16 understand.

17 MR. MARTEL: Yes. I mean, he listed
18 them -- I wasn't sure how many he listed uin his
19 presentation, but the pictures correspond to some of
20 the areas in his presentation, Mr. Cosman.

21 MADAM CHAIR: Thank you very much, Mr.
22 Edmonds.

23 MR. EDMONDS: Thank you.

24 MADAM CHAIR: The last person who is
25 scheduled to speak to the Board this evening is Mr.

1 Walter Yzerdraat. Is Mr. Yzerdratt here?

2 For the court reporters, Mr. Yzerdraat's
3 name is spelled, Y-z-e-r-d-r-a-a-t.

4 Good evening, Mr. Yzerdraat.

5 WALTER YZERDRAAT, Sworn

6 MADAM CHAIR: Thank you.

7 PRESENTATION BY MR. YZERDRAAT:

8 Honourable members of the Board and
9 ladies and gentlemen, it is with great trepidation that
10 I follow my predecessors who are competent in various
11 areas of forestry and forest products industry.

12 What I have to say is not so much
13 focusing on facts and details that have already been
14 brought to the attention of the Board and to the
15 attention of the public, but also the wider scope of
16 what is happening in the environment and in the
17 industry that deals with the utilization of our forests
18 which in fact have taken about 8,000 years to develop
19 and to evolve and in which man has actually only very
20 recently started to make his presence and his
21 activities felt.

22 So very little, let's say 2 per cent of
23 those 8,000 years constitute our total experience with
24 modern forestry method, and it's not to be -- it's not
25 surprising under those circumstances that we don't know

1 enough to make responsible and intelligent decisions
2 about what direction to take in, well, sort of heading
3 towards the future.

4 The forest industry for Canada as a whole
5 and for Ontario in particular is probably the most
6 important revenue generating and job creating industry,
7 single industry, and it's quite important to maintain
8 that or enhance it and what we are seeing at the moment
9 seems to be the result of those 2 per cent of the 8,000
10 years that it took to evolve the forests.

11 What we are seeing as a result of that 2
12 per cent is a dwindling base of harvestable timber and
13 it need not be so and it can be turned around, I think,
14 without really creating unemployment or a smaller
15 product, a smaller revenue, in that there are methods
16 being applied in other parts of the world, and I think
17 particularly of Europe, which was my place of origin
18 where as early as the 20s and the 30s the practice of
19 clearcutting which is a very wasteful thing, as has
20 been pointed out by several speakers, has been outlawed
21 in most countries and certainly in the Netherlands and
22 also in Scandinavia and Finland.

23 Those countries whose area totals about
24 that of the Province of Ontario and whose climate is
25 comparable and soil and glaciation history is quite

1 comparable to that of Ontario, these countries, these
2 small countries have been able to supply the enormous
3 markets of all of Europe for 500 years before finally
4 they are starting to run into problems that are not
5 caused by their forest practices but by other factors
6 over which they have no control, such as acid rain.

7 So the thrust of my request to be allowed
8 to speak to the Board here tonight is merely to make a
9 plea and urgent request that considerations of, well,
10 what is going to come after us, what are our
11 grandchildren going to inherit from us. Give that a
12 consideration in the light of knowledge that is
13 available in other countries and which may be very,
14 very beneficial for the future of the job and the
15 industry situation in Ontario.

16 This is all.

17 MADAM CHAIR: Thank you very much, Mr.
18 Yzerdraat.

19 Mr. Martel has been telling me all along
20 in this hearing that we really should go on a trip to
21 Finland and Scandinavia and see for ourselves what they
22 are doing, but I imagine that evidence will get before
23 us, and it's interesting that you raised it this
24 evening.

25 Are there any questions for Mr.

1 Yzerdraat?

2 MR. MARTEL: I just wanted to clarify.

3 You indicated that clearcutting was outlawed I believe
4 in the Netherlands and in Sweden and in Finland. Did I
5 hear you --

6 MR. YZERDRAAT: And in Scandinavia and
7 Sweden of course is the largest producer in
8 Scandinavia.

9 MR. MARTEL: Yes. And that's been
10 outlawed, clearcutting?

11 MR. YZERDRAAT: That has been outlawed.
12 When I was a little boy in school and I was being told
13 how the operators used to take every stick that they
14 could find and there was very little waste.

15 I have to add that the hunger for forest
16 products in Europe is such that the accumulation of
17 aspen piles and spruce piles was virtually unheard of,
18 but despite that, it was realized at that time that not
19 only for aesthetic reasons but also for the prevention
20 of soil erosion and the rapid regeneration of forest
21 that could be started from a stand of 35-year-old trees
22 instead of new seedlings, and in the existing humus
23 under fairly dense canopy, in very natural
24 circumstances only with no room for every young tree to
25 grow up was far more productive than clearcutting

1 followed by a total regeneration and then waiting for a
2 150 years with another clearcut following.

3 There have been experiments in Canada and
4 Harrowsmith, the issue of that Magazine a few months
5 ago gave an example of that. There is an article and I
6 can't tell you the month in which it was published but
7 it's in Harrowsmith magazine of an experiment where a
8 forester decided to conduct some experiment, a
9 management experiment on a woodlot that had been scaled
10 or had been timber cruised and was rated at a potential
11 of, let's say a ballpark figure of 40,000 board feet.

12 Instead of harvesting the 40,000 board
13 feet which they certainly might have cutten, they took
14 only 10,000 the first year and 10,000 the next year and
15 then 15,000 the year after that and it's still going
16 and its yielded already over 60-, 70,000 board feet and
17 it's still virtually the same stand that it was 10
18 years ago.

19 MR. COSMAN: Madam Chair, if I may just
20 one short question?

21 MADAM CHAIR: Yes, Mr. Cosman.

22 MR. COSMAN: Mr. Yzerdraat, if I am
23 pronouncing your name correctly, I'm very interested
24 because of your statements, what is your own
25 background, sir, is it in the forest science area?

1 MR. YZERDRAAT: In both the science area
2 and in practical field work, not so much in forestry
3 but in prospecting which is an activity that brings you
4 into very close contact with nature and also compels
5 the practitioner of that profession to be very
6 observant.

7 In other words, I have not only looked at
8 rocks and faults and stratigraphic details, but also I
9 have looked at the vegetation, and because I have known
10 a certain area - this happens to be the Metcalfe Lake
11 area that came up a couple of times - I have been able
12 to follow the development of certain stands for about
13 25 years now, and where windfalls or other causes
14 created open spots I have been able to watch the
15 natural regeneration which is often quite different
16 from what foresters tell you it is going to be.

17 MR. COSMAN: And so are you a geologist
18 by education and training?

19 MR. YZERDRAAT: I'm a geologist by
20 education and training.

21 MR. COSMAN: Thank you very much.

22 MR. YZERDRAAT: Worked with Carlton
23 University for about 20 years.

24 MADAM CHAIR: Thank you very much.

25 - Does anyone else wish to speak to the

1 Board tonight?

2 (no response)

3 In that case we will adjourn for the
4 evening and we will begin again at 2:00 p.m. tomorrow.

5 Thank you.

6 ---Whereupon the hearing was adjourned at 10:15 p.m.,
7 to be reconvened on Wednesday, September 26th, 1990,
8 commencing at 2:00 p.m.

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

[c. copyright 1985]

